

1/176 2882 3433

Vol. 118/ Page 14825
Vol. 118/ Page 13933

Richard A. Ruegger

Lien Claimant

CLAIM OF LIEN

PREPARING LAND FOR IRRIGATION OR CULTIVATION

Richard C. Martin and

James R. Wringer

Lien Debtor

NOTICE HEREBY IS GIVEN That Richard A. Ruegger (hereinafter called claimant) claims a lien on the following described land in Klamath County, Oregon, to-wit:

First Parcel: S $\frac{1}{4}$ NE $\frac{1}{4}$ ly S of River; SE $\frac{1}{4}$ ly NW $\frac{1}{4}$ ly of Road; SW $\frac{1}{4}$ ly SE $\frac{1}{4}$ ly of River, Section 17, Township 39, Range 11, East of the Willamette Meridian, all in Klamath County, Oregon.
continued on reverse side

IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE

Said labor was performed, equipment and/or materials furnished (more fully described below) for use in connection with the preparation of said lands for irrigation or cultivation.

Said labor, equipment and/or materials were furnished for and at the request of the owner of said land; claimant commenced furnishing the same on April 15, 1981 and completed the same on May 29, 1981, on which day claimant ceased to perform said labor, transport or furnish the materials or provisions for which said lien is claimed.

Claimant was employed/contracted to perform said labor and to furnish said equipment, and/or materials by the person hereinafter named (delete by lining out any inapplicable words of the preceding sentence).

The said labor, equipment, provision and/or materials consisted of preparing land for planting crop of barley on property above and for seeding said property for crop.

The name of the owner or reputed owner of the land on which this lien is claimed is: Richard C. Martin

The name of the person by whom claimant was employed or to whom claimant furnished said provisions, materials and/or equipment is: Richard A. Martin and James R. Wringer

The following is a true statement of claimant's demand for which this lien is claimed:

Contract price

Agreed wage: \$ per day; number of days \$

If no contract price, the reasonable charges for such work and materials are:

Labor performed \$ 35,000.00

Equipment furnished or transported \$

Provisions, materials furnished or transported \$

Preparing this lien notice (87910) \$ 10.00

Recording fees \$ 7.00

Total \$ 35,017.00

Less all just credits and offsets \$

Balance unpaid and for which this lien is claimed \$ 35,017.00

DATED: August 4, 1981

11850

13010

Claimant

STATE OF OREGON, 1981

14826

13940

County of Klamath ss.I, Richard A. Ruegger

the claimant named in the foregoing notice of claim of lien, being duly sworn, depose and say that I know the contents of said notice and that the statements and claims made therein are in all respects correct and true, as I verily believe.

Subscribed and sworn to before me this 4th day of August, 1981

Richard A. Ruegger
Joyce Gamm Notary Public for Oregon
 My commission expires 1-2-85

Second Parcel: NE $\frac{1}{4}$ ly N of Road; N $\frac{1}{2}$ NW $\frac{1}{4}$ ly E of River; SW $\frac{1}{4}$ NW $\frac{1}{4}$ ly E of River, Section 20, Township 39, Range 11, East of the Willamette Meridian, all in Klamath County, Oregon.

Re-record to put in right lien book.

ORS Section 87.356, as amended by Oregon Laws, 1977 ch. 596, provides:

87.356. A person who is employed to, or contracts to survey, clear, ditch, dike, tile, level, check, border, excavate, grade, pave or otherwise prepare land for irrigation or cultivation, or who furnishes materials or equipment for use in connection with such work on that land at the request of the owner of the land, has a lien on the land prepared for the reasonable or agreed charges for his labor, and the materials or equipment furnished. If the owner has less than a fee simple estate in the land, then only his interest therein is subject to the lien created by this section.

The following ORS sections provide:

"87.364. The liens created by ORS 87.352 to 87.358 attach to the land, mine or improvement described in those sections on the day on which the lien claimant ceases to perform the labor or transport or furnish the materials or provisions for which the lien is claimed."

"87.366(1) (1) A person claiming a lien created by ORS 87.352 to 87.362 shall file a written notice of claim of lien not later than 120 days after the lien attaches with the recording officer of each county, where there is situated any land sought to be charged with the lien. * * *

"(3) If the person entitled to a lien under ORS 87.352 to 87.362 does not file a notice of claim of lien within the time required by subsection (1) of this section, he waives his right to the lien."

CLAIM OF LIEN

PREPARING LAND FOR IRRIGATION OR CULTIVATION

(FORM NO. 950)

Richard Ruegger

Lien Claimant

vs.

Richard C. Martin

Lien Debtor

AFTER RECORDING RETURN TO

Steven P. Couth
 Attorney at Law
 220 Main Street
 Klamath Falls, OR 97601

STATE OF OREGON

County of Klamath ss.

I hereby certify that the within written instrument was filed in my office on the 4th day of August, 1981, at 4:15 o'clock P.M., and recorded in book MB1 on page 2882, Record of Liens on Chatters of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

By Bernetha A. Detch Deputy

(SPACE RESERVED
 FOR
 RECORDER'S USE.)

INDEXED

Fee \$7.00

State of OREGON: COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the 20th day of August A.D., 1981 at 10:19 o'clock A.M., and duly recorded in Liens Vol MB1 of Construction on page 14825

EVELYN BIEHN
COUNTY CLERKFee \$ NoneBy Bernetha A. Detch deputy