

1175

If claimant is a subcontractor, use S-N Form No. 124.

8085

Vol. 1782 Page 205

KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, did on the 25th day of September, 1981, enter into a contract with the owner of the real estate described below for the furnishing of materials and the performance of labor to be used in the construction of that certain improvement known as Homestead Restaurant 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"

Address of said land, if known (if unknown, so state) La Vista Motel, N. Highway 97,
Klamath Falls, Oregon number, street and city in said county and state.

The name of the owner or reputed owner of said land is Joe H. Victor and Eleanor D. Victor; claimant was employed to furnish said labor and materials and perform said contract by Joe H. Victor and Eleanor D. Victor. At all times herein mentioned, said owner had knowledge of the construction of said improvements. Claimant commenced his performance of said contract on September 15, 1981, completed construction and his said contract on November 10, 1981.

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

Contract price \$ 2,390.50

If no contract, 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 \$ 12.00

Total \$ 2,412.50

Less all just credits and offsets \$

Balance due claimant \$ 2,412.50

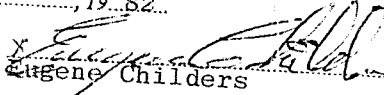
check
8/12/81

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 the said site, to be determined by the court at the time of the foreclosure of this lien.

The time in which claimant has to file this claim of lien for recording with the recording officer of the county in which said improvement is situated has not expired; sixty days have not elapsed since claimant completed said construction and his said contract.

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 7th day of January, 1982.


Eugene Childers

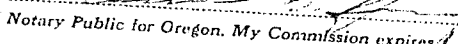
Claimant

STATE OF OREGON, County of Klamath ss.
I, Eugene Childers

and say: That I am the _____, being first duly sworn, depose
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.


Eugene Childers

Subscribed and sworn to before me this 7th day of January, 1982.


Notary Public for Oregon. My Commission expires 12-3-82

(SEAL)

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____.

By _____ Claimant

Note: Section 14 of Chapter 466, Oregon Laws 1975 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
ORIGINAL CONTRACTOR**

(Form No. 173)

Eugene Childers

Lien Claimant

vs.
Joe H. Victor and
Eleanor D. Victor

Lien Debtor

AFTER RECORDING RETURN TO

Eugene Childers
2241 Orchard
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.

By _____ Recording Officer

Deputy

PARCEL 1

A piece or parcel of land situated in the Northeast quarter of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, and more particularly described as follows:

Beginning at an iron pipe which is South $0^{\circ} 06'$ West 323.4 feet, and North $89^{\circ} 49'$ West 234.2 feet from the Northeast section corner of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, which point of beginning is also the Northeast corner of that certain tract of land conveyed to Elmer J. and Flora M. Zigler on page 238, Deed Volume 278 of the Records of Klamath County, Oregon; thence North $89^{\circ} 49'$ West along the Northerly boundary of said tract of land conveyed on page 238 Deed Volume 278, a distance of 334.8 feet to an iron pipe set at its intersection with a line which is parallel to and 192.77 feet Northeasterly of, when measured at right angles to, the Northeasterly right of way line of the Dalles-California Highway (US97) as the same is now located across the said Section 19; thence North $38^{\circ} 52'$ West parallel to and 192.77 feet distant from said Northeasterly Highway right of way line a distance of 147.25 feet to an iron pipe; thence South $89^{\circ} 49'$ East a distance of 427.3 feet to an iron pipe; thence South $0^{\circ} 06'$ West a distance of 114.35 feet, more or less, to the point of beginning.

PARCEL 2

Beginning at a point on the Northeasterly right of way line of State Highway No. 97 which lies South $0^{\circ} 06'$ West along the East section line a distance of 688.5 feet and North $89^{\circ} 49'$ West along the North line of Byrd Avenue in Chelsea Addition, a distance of 521.6 feet and North $38^{\circ} 52'$ West along the Northeasterly right of way line of State Highway No. 97 (Note, State Highway bearing of this line shows North $39^{\circ} 07\frac{1}{2}'$ West) a distance of 130.55 feet from the iron axle which marks the Northeast corner of Section 19, Township 38 South, Range 9 East of the Willamette Meridian, running thence: Continuing North $38^{\circ} 52'$ West along the Northeasterly right of way line of State Highway No. 97 a distance of 250 feet to a point; thence North $51^{\circ} 08'$ East a distance of 192.77 feet to a point; thence South $38^{\circ} 52'$ East a distance of 250 feet to a point; thence South $51^{\circ} 08'$ West a distance of 192.77 feet, more or less, to the point of beginning, in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, Township 38 South, Range 9 East of the Willamette Meridian.

State of OREGON: COUNTY OF KLAMATH: ss.

I hereby certify that the within instrument was received and filed for record on the

7 day of January, A.D., 1982 at 3:37 o'clock P.M., and duly recorded in

VolM 82 of Const Lien on page 205.

Fee \$ 12.00

EVELYN DIEHN
COUNTY CLERK
By Joyce McShane Deputy