

25317

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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 (as hereinafter described), actually used in the construction of that certain improvement known as Addition & Remodel of Residence, all at the instance of the owner of said improvement or his construction agent; said improvement is situated upon certain land in the County of Klamath, State of Oregon, (which is the site of said improvement) described as follows:

Lot 6, Block 1, Sunset East

STEVEN-NESS LAW
CONSTRUCTION LIEN
CLAIM OF

The address of said land is, if known (if unknown, so state) 4525 ElCerito Way, Klamath Falls, in said county and state.

The name of the owner or reputed owner of said land is Don Cleek and Della Cleek, in said county and state.

The name of the owner or reputed owner of said improvement is Don Cleek and Della Cleek, 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 Don Cleek and Della Cleek.

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") Construction trades for Residential Structure by Contract dated April 16, 1983.

Materials (if no materials furnished, insert the word "none") Construction materials for Residential Remodel and Addition by Contract dated April 16, 1983.

Equipment rented; if none, insert "none."

Claimant commenced to perform said labor, to furnish said material and/or equipment on April 18, 1983, and completed same on June 10, 1983, after which he ceased to perform labor and/or to furnish materials or equipment. The construction of said improvement was completed on not completed, 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:

Labor includes labor, material, sub-contractors, O/H & Profit	\$ 14,181.87
Materials	\$
Equipment; its reasonable rental value	\$
Interest Computed at 9% ARR from June 10, 1983	\$
Recording fees	\$
Total	\$
Less all just credits and offsets	\$
Balance due claimant	\$ 7,791.28
*Interest payable to date of satisfaction as above	\$ 6,390.59

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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Pooler



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 30th day of June, 1983

Norman C. Fitzgerald
Norman C. Fitzgerald, dba Fitzgerald Const. Co.
Claimant

State of Oregon, County of Klamath, ss.

I, *Norman C. Fitzgerald*, being first duly sworn, depose and say: That I am the 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.

Subscribed and sworn to before me this 30th day of June, 1983

Nancy Robinson
Notary Public for Oregon. My Commission expires 2-2-87

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 June 30, 1983.

* Attorney for, Agent for, Secretary of, etc., or if an individual, leave blank.

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. 124)**

*Norman C. Fitzgerald, DBA
Fitzgerald Const. Co.*
Lien Claimant

Owner

AFTER RECORDING RETURN TO

*5281 Opine Court
Klamath Falls, Ore
97604*

STATE OF OREGON

County of Klamath

I certify that the within instrument was filed in my office on the 5th day of July, 1983, at 8:55 o'clock A.M. and recorded in book/reel/volume M 83 at page 10459, or as file/instrument/microfilm/reception No. 25317, of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.
Evelyn Biehn, County Clerk
Recording Officer
By *Dee Deane*, Deputy
8.00 fee