

Vol. 1284 Page

18199

042489

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 Frank Ruot who was the ☒ original contractor, ☐ subcontractor,

☐ construction agent or ☐ other person (indicate which) having charge of the construction of that certain improvement known as 524 High Street situated upon certain land in the County of Klamath, State of Oregon, (which is the site of said improvement) described as follows:

"Lot 7, Block 9, ORIGINAL TOWN OF KLAMATH FALLS (LINKVILLE) according to the official plat thereof on file with the Clerk of Klamath County, Oregon."

The address of said improvement, if known (if unknown, so state) is 524 High Street in the City of Klamath Falls, in said county and state.

The name of the owner or reputed owner of said land is Sam B. Davis & Sidney F. Ainsworth, partners dba Worthyday Investments; the name of the owner of said improvement at whose instance said labor, materials and/or equipment were performed or furnished is Sidney Ainsworth; 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 Frank Ruot and Sidney Ainsworth.

Labor; kind (if no labor performed, insert the word "none") Pursuant to contract, labor was expended for the benefit of the contractor and the real property owners having a reasonable value of \$436.49.

Materials (if no materials furnished, insert the word "none") Materials, including concrete & concrete construction supplies were furnished, having a reasonable value of \$263.51.

Equipment rented (if none, insert "none") NONE

All of said labor, materials and equipment was actually used in the construction of said improvement. Claimant commenced to perform his said contract on September 11, 19 84, and completed same on September 11, 19 84, after which he ceased to provide labor and to furnish materials and equipment. The construction of said improvement was completed on September 11, 19 84 (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	\$ 700.00
Said price includes the reasonable rental value of said equipment which is \$-0-	
If no contract price, 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	\$ 9.00
Total	\$ 719.00
Less all just credits and offsets	\$ - 0 -
Balance due claimant	\$ 719.00

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

(OVER)

00181

218200

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 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 10-4, 1984

Roy Hodges

Claimant

STATE OF OREGON, County of Klamath ss.

I, Roy Hodges, being first duly sworn, depose

and say: That I am 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 4th

Roy Hodges
day of October, 1984

(SEAL)

NOTARY PUBLIC

Neal Buchanan

Notary Public for Oregon, My Commission expires 12/20/85

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 10-4, 1984

Claimant

By

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 "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
SUB CONTRACTOR**
(Form No. 124)

ROY HODGES

Lien Claimant

Sam B. Davis & Sidney
E. Ainsworth, co-partners
dba Worthyday Investments
Owner

NEAL G. BUCHANAN

Attorney at Law

First Interstate Bank Building
601 Main Street, Suite 210

Klamath Falls, Oregon 97601-6007

(503) 882-8607

Fee: \$8.00 Index: \$1.00

STATE OF OREGON

County of Klamath ss.

I certify that the within instrument was filed in my office on the 22nd day of October, 1984, at 4:42 o'clock PM, and recorded in book M84 on page 18199 or as file/reel No. 42489, of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.
Evelyn Biehn, County Clerk

By Phyllis Ann Recording Officer

Deputy

(SPACE RESERVED
FOR
RECORDER'S USE.)