

46672

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OL If claimant is other than original contractor use S-N Form No. 1162.  
 3rd day of January, 19 85, enter into a contract with the owner of the improvement named below for the performance of labor, transporting or furnishing materials to be used in or renting equipment used in the construction of said improvement known as a water well

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:

Lots 1 through 42, Block 1, Lots 1 through 4, Block 2, Lot 1, Block 3,  
 Lots 1 through 7, Block 4, Lots 1 through 9, Block 5 and Lots 1 through 7,  
 Block 6, ALL BELLA VISTA TRACT 1235, in the County of Klamath, State of Oregon.

ORIGINAL CONSTRUCTION  
 CONSTRUCTION LIEN  
 CIVIL OR

NOTICE TO THE OWNER OF THE LAND DESCRIBED ABOVE THAT THE CLAIMANT HAS A CONSTRUCTION LIEN ON SAID LAND FOR THE WORK AND MATERIALS FURNISHED BY HIM IN THE CONSTRUCTION OF SAID IMPROVEMENT.

THE CLERK OF THE DISTRICT COURT OF THE COUNTY OF KLAMATH, OREGON, HAS BEEN ADVISED BY THE CLAIMANT THAT HE HAS A CONSTRUCTION LIEN ON SAID LAND FOR THE WORK AND MATERIALS FURNISHED BY HIM IN THE CONSTRUCTION OF SAID IMPROVEMENT.

The address of said land, if known, is (if unknown, so state) unknown.

The name of the owner or reputed owner of said land is Donald J. Leggett & Elida Leggett in said county and state.  
 the name of the owner or reputed owner of said improvement is Donald J. Leggett & Elida Leggett  
 the person or persons just named, at all times herein mentioned, had knowledge of the construction of said improvement. Claimant was employed to furnish said labor, materials and equipment and to perform said contract by the said owner of said improvement. Claimant commenced his performance of said contract on December 3, 19 84, provided and furnished all labor, materials and equipment required by said contract and actually used in the construction of said improvement and fully completed his said contract on January 15, 19 85, after which he ceased to provide labor, materials or equipment for said improvement.

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

Contract price Said price includes materials and supplies in the amount of \$ 6,682.25  
 and the reasonable rental value of equipment which is \$ 4,083.25

If no contract price, the reasonable value of claimant's labor, materials and equipment is:  
 Labor \$  
 Materials \$  
 Equipment \$

Recording fees \$  
 Total \$ 9.00  
 Less all just credits and offsets \$ 6,691.25  
 Balance due claimant \$ -0-  
 with interest at 1-1/2% per month from 1/15/85 \$ 6,691.25

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.

For the time and place of recording to make this lien a valid claim, see quotation from ORS 87.036 on next page.

—OVER—

NOTE: THIS FORM TO BE USED ONLY FOR CONSTRUCTION COMMENCED AFTER JANUARY 1, 1982.

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and shall use instrument form ORS 21.032 on next page  
for the time and place of recording to make this new

---OAKER---

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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 March 19, 1985

By: Larry DeSpain  
Claimant

STATE OF OREGON, County of Klamath

I, Larry DeSpain

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 19th day of March, 1985

Notary Public for Oregon. My commission expires 6-18-86

ORS 87.005. "Original Contractor" means a contractor who has a contractual relationship with the owner. 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.

NOTICE TO THE OWNER of the land described in the foregoing copy of claim of lien:

Please be advised that the original claim of lien of which the foregoing is a true copy was filed and recorded in the office of the recording officer of Klamath County, Oregon, on March 19, 1985

VAN METER and DE SPAIN WELL DRILLING, INC.  
By Claimant

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."

CLAIM OF  
CONSTRUCTION LIEN  
ORIGINAL CONTRACTOR  
(Form No. 1161)

Lien Claimant

VS.

Lien Debtor

AFTER RECORDING RETURN TO

Don Crane  
540 Main St  
KFO

STATE OF OREGON,

County of Klamath

I certify that the within instrument was received for record on the

8th day of March, 1985

at 3:58 o'clock PM, and recorded in book/reel/volume No. M85 on page 3513

or as file/instrument/microfilm/reception No. 46672

of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

By Pam Smith Deputy

Fee: \$9.00