

1976 If claimant is a subcontractor, use S-N Form No. 124.

LSC: 22-00

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47076

WE KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, did on the 21st day of August, 1984, 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 Lot 5, in Block 4 of TRACT 1002, LAWANDA HILLS;

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 5, in Block 4 of TRACT NO. 1002, LA WANDA HILLS, in the County of Klamath, State of Oregon, EXCEPTING therefrom:

Beginning at a 5/8 inch iron pin marking the most Southern corner of said Lot 5; thence North 00°01'20" East along the West line of said Lot 5, 423.70 feet to a 1/2 inch iron pin; thence South 69°22'33" East, 325.42 feet to a 1/2 inch iron pin on a point on curve of the Northerly right of way line of Gearhart Street from which the radius point of said curve bears North 68°19'09" West, 248.85 feet; thence along the arc of a 248.85 feet radius curve to the right (delta = 26°19'09": Long Chord = south 34°50'25" West, 113.31 feet) 114.31 feet to a 5/8 inch iron pin at the end of curve; thence South 48°00'00" West, 322.92 feet to the point of beginning."

The address of said land, if known, is (if unknown, so state) Lawanda Hills in said county and state.

The name of the owner or reputed owner of said land is Richard T. and Zona Jean Luttrell; the name of the owner or reputed owner of said improvement is Richard T. and Zona Jean Luttrell; 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 August 10, 1984, provided and furnished all labor, materials and equipment required by said contract and actually used in the construction of said improvement and ~~XXXXXX~~ on or about 12/24, 1984, ~~XXXXXX~~ 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 on a "time and materials basis" net after credits \$ 3,317.70

Said price includes materials and supplies in the amount of \$ 1,714.45

and the reasonable rental value of equipment which is \$ 450.00

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 \$

Less all just credits and offsets included as credit in amount above \$

Balance due claimant \$ 3,336.70

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.

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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 20, 1985

William S. Thornton Sec.

WILLIAM S. THORNTON

Claimant

STATE OF OREGON, County of Klamath ss.

I, WILLIAM S. THORNTON, being first duly sworn, depose

and say: That I am the Secretary of T&M Steel/Wood, Inc.

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.

William S. Thornton Sec.

Subscribed and sworn to before me this 20th day of March, 1985

(SEAL) Pam A. Cance  
Notary Public for Oregon. My Commission expires 8/1/86

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

Claimant

By

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."

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."

<b>CLAIM OF</b> <b>CONSTRUCTION LIEN</b> <b>ORIGINAL CONTRACTOR</b> (Form No. 123)		STATE OF OREGON, } ss. County of <u>Klamath</u>	
<u>William S. Thornton dba</u> <u>T&amp;M Steel/Wood, Inc.</u> Lien Claimant		I certify that the within instrument was filed for recording in my office on the <u>21st</u> day of <u>March</u> , 1985, at <u>4:51</u> o'clock <u>P.M.</u> , and recorded in book/reel/volume No. <u>M85</u> on page <u>4239</u> or as document/file/instrument/microfilm No. <u>47076</u> , of the Construction Lien Book of said County.	
VS.		Witness my hand and seal of County affixed.	
<u>Richard T. Luttrell and</u> <u>Zona Jean Luttrell</u> Lien Debtor		Evelyn Biehn, County Clerk	
(AFTER RECORDING, RETURN TO)		NAME <u>Pam A. Cance</u> TITLE <u>Deputy</u>	
<u>Neal G. Buchanan</u> Attorney at Law 601 Main St., Suite 210 Klamath Falls OR 97601		Fee: \$9.00	