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DEAN C. SMART dba Dean's Road
Service,

Lien Claimant

vs.

R. WALKER TRUCKING, INC.; PEOPLES
NATIONAL BANK OF WASHINGTON; and
ALFRED M. FALK, Trustee; LES SCHWAB
TIRE CENTERS OF OREGON, INC. Lien Debtors

POSSESSORY LIEN
STATEMENT OF ACCOUNT

AFTER RECORDING, RETURN TO:
Neal G. Buchanan, Attorney at Law
601 Main Street, Suite 210
Klamath Falls OR 97601

To the Treasurer of Klamath County, Oregon:

Reference is made to the attached copy of the published or posted notice of claim of lien (the total amount of said claim being \$7,032.00) and the notice of public foreclosure sale of certain chattels described in said notice. You are notified that said sale took place at the time and place stated in said notice.

The total amount received for said chattels at said foreclosure sale was	\$ 2,000.00
The expenses of said sale (to-wit: the cost of foreclosing said lien) were	\$ 171.56
Net proceeds of said sale	\$ 1,828.44
Applied to the discharge of said lien	\$ 1,828.44
Remaining balance of the proceeds of said sale	\$ - 0 -

PROCEEDS INSUFFICIENT TO FULLY DISCHARGE LIEN

Inasmuch as the proceeds are insufficient to fully discharge the lien, the said remaining balance is hereby paid to you pursuant to the provisions of Section 12 of Chapter 648, Oregon Laws 1975.

Dated: April 15, 1985

Dean C. Smart
By DEAN C. SMART Claimant

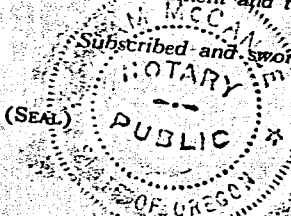
NOTE: Possessory liens are authorized by Sections 3 to 5 of Chapter 648, Oregon Laws 1975; Section 13 of said Chapter 648 provides in part: (1) A person who forecloses a lien created by sections 3 to 5 of this Act by sale shall file a statement of account verified by his oath with the recording officer of the county in which the sale took place when: (a) The chattel sold at the foreclosure sale has a fair market value of \$250 or more; (b) The chattel sold at the foreclosure sale is an animal bearing a brand or other mark recorded with the State Department of Agriculture under ORS chapter 604. (2) A person filing a statement of account under this section shall send a copy of the statement to the owner of the chattel sold at the foreclosure sale by registered or certified mail sent to him at his last-known address. If the chattel sold at a foreclosure sale is an animal bearing a brand or other mark recorded with the State Department of Agriculture under ORS chapter 604, a person filing a statement of account under this section shall send a copy of the statement to the State Department of Agriculture.

STATE OF OREGON,

County of Klamath ss.

I Dean C. Smart

being first duly sworn, depose and say that I am the claimant named above, that I know the contents of the foregoing instrument and that the statements therein made are true, as I verily believe.



Subscribed and sworn to before me this 15 day of April, 1985
Pamela McCance
Notary Public for Oregon. My commission expires 8-1, 1986

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Service,

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NATIONAL BANK OF WASHINGTON; and
ALFRED M. FALK, Trustee, LES SCHWAB
TIRE CENTERS OF OREGON, INC.,
Lien Debtors.

CLAIM OF POSSESSORY LIEN
FOR STORAGE

NOTICE OF FORECLOSURE
SALE

NOTICE IS HEREBY GIVEN THAT:

1) The undersigned, Dean C. Smart, hereinafter called Claimant, pursuant to the provisions of ORS 87.152 et seq, claims and has a possessory lien upon the following described articles of personal property, to-wit: 1971 Brown Van Trailer, bearing Oregon license number HT39889, VIN S715837, Oregon title number 7729253204, hereinafter called chattels, for the following charges for storage of said chattels at the request of and for the owner or lawful possessor thereof.

2) At the time the request for storage was made, the name of the lawful possessor of said chattels was R. Walker Trucking, Inc. The last address for R. Walker Trucking, Inc. is c/o Trustee in Bankruptcy for R. Walker Trucking, Inc., appointed in the United States Bankruptcy Court for the Eastern District of Washington in Case No. 81-00848-314. The said Trustee is: Alfred M. Falk, P. O. Box 156, Selah, Washington 98942. Lien Debtor, Les Schwab Tire Centers of Oregon, Inc., claims some interest in said van trailer.

3) At the time of the request for storage by the lawful possessor of said chattels, the first security interest holder of the said van trailer was Peoples National Bank of Washington. The address of the said security interest holder's office as of the date of this notice is 404 West Yakima Avenue, Yakima, Washington.

4) Claimant obtained possession of said chattels in Klamath County, Oregon; Claimant first provided storage for said chattels on

or about April 1, 1981; since said date, possession of said chattels has been and is now retained by Claimant.

5) Although there is no agreement relative to the appropriate charge for storage, a reasonable charge for said storage is the sum of \$6.00 per day. The following is a reasonable charge:

For said storage through 6/15/84 \$7,032.00

No part of said total has been paid; the amount now due on Claimant's lien is \$7,032.00 plus \$6.00 per day from 6/15/84.

6) The said Lien Debtor either knows or should reasonably know that the said charges are due.

7) NOTICE HEREBY IS FURTHER GIVEN to said Lien Debtor and to whom it may concern that on April 3, 1985, Claimant will proceed to sell the above described chattels at public auction in Klamath County, Oregon, where Claimant obtained possession thereof, at the following place in said county, to-wit: 4642 Greensprings Drive in the City of Klamath Falls, State of Oregon, at the hour of 1:00 o'clock P.M., Standard

Time. The name of the person foreclosing said lien is Dean C. Smart dba Dean's Road Service. The name of the owner or reputed owner of said chattels is the said R. Walker Trucking, Inc. The first security interest holder is Peoples National Bank of Washington. The amount now due on Claimant's lien is \$7,032.00 plus \$6.00/day from 6/15/84.

8) At the conclusion of said foreclosure sale, Claimant will apply the proceeds of said sale: first, to the payment of the expenses of the sale; second, to the discharge of Claimant's said lien; and third, the balance, if any, will be paid to the county treasurer of the county in which said foreclosure sale is made, to be disposed of by said county treasurer as directed by law.

9) On February 6, 1985, and more than thirty days prior to the day so fixed for said foreclosure sale, Claimant gave this

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notice by certified mail to the following persons:

- a) To the lien debtor at his last known address; or if the lien debtor is a corporation, to its said registered agent at its said registered office.
- b) To all persons with a security interest in said chattels who have filed a financing statement perfecting that interest in the office of the Secretary of the State of Oregon or in the office of the appropriate county officer of the county in which the foreclosure sale is to be held.
- c) If the chattel so to be sold is one for which a certificate of title is required by the laws of this state, to all those persons whom the certificate of title indicates have a security interest in or lien upon the chattels; also on the date first mentioned in this paragraph 9, this notice was posted in a public place at or near the front door of the county courthouse of the county in which the sale is to be held in a public place where claimant obtained possession of said chattels from the lien debtor in Klamath County, Oregon. Furthermore, if the chattel to be sold has a fair market value of \$1,000 or more, claimant, in addition to the above caused a notice of said sale to be printed for two successive weeks in a newspaper as required by ORS 87.192.

In construing this instrument and where the context so requires, words in the singular include the plural; the masculine includes the feminine and the neuter and, generally, all changes shall be made or implied so that this instrument shall be deemed notice both to individuals and to corporations.

DATED THIS 6th day of Feb., 1985.

STATE OF OREGON)
County of Klamath) ss.

X Dean C. Smart
DEAN C. SMART dba Dean's Road
Service

I, Dean C. Smart dba Dean's Road Service, the claimant named in the foregoing instrument, being first duly sworn, say that I know the contents thereof and that the statements and claims made therein are in all respects correct and true, as I verily believe.

X Dean C. Smart
DEAN C. SMART

SUBSCRIBED AND SWORN to before me this 6th day of Feb., 1985.

Pam A. Vance
NOTARY PUBLIC FOR OREGON
My Commission Expires: 8/1/86

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STATE OF OREGON: COUNTY OF KLAMATH:ss
I hereby certify that the within instrument was received and filed for record on the 15th day of April A.D., 1985 at 9:19 o'clock A M, and duly recorded in Vol M85, of Lien Upon Chattels on page 5390

Fee: \$ 12.00

EVELYN BIEHN, COUNTY CLERK
by: Pam Smith, Deputy