

56800

Vol. M85 Page 21227

**KNOW ALL MEN BY THESE PRESENTS:** The undersigned, hereinafter called the claimant, has performed labor upon, ~~and furnished materials and/or rented equipment for the construction of~~ the construction of that certain improvement known as reroofing of the Winema Inn, actually used in all at the instance of the owner ~~of said land~~ State of Oregon, 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.

See attached Exhibit "A"

'85 DEC 30 PM 4 51

The address of said land is, if known (if unknown, so state) 1111 Main, Klamath Falls, OR 97601

The name of the owner or reputed owner of said land is Klamath Falls Investment Group, in said county and state.

The name of the owner or reputed owner of said improvement is Klamath Falls Investment Group, 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 Ken Leon

The kind of labor so performed, materials ~~and/or rented equipment~~ furnished ~~and/or rented equipment~~ by claimant was:

Labor (if no labor performed, insert word "none") Reroofing

Materials (if no materials furnished, insert the word "none") Roofing material and supplies

Equipment rented, if none, insert "none"

None

Claimant commenced to perform said labor, to furnish said material and/or equipment on August 22 19 85, and completed same on November 5 19 85, after which he ceased to perform labor and/or to furnish materials or equipment. The construction of said improvement was completed on November 5 19 85 (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

Materials

Equipment, its reasonable rental value

Preparation of this claim of lien (ORS 87.910)

Recording fees

Total

Less all just credits and offsets (\$2,250 previously deducted)

Balance due claimant

\$ 3,320.51

\$ 6,879.49

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

10.00

13.00

\$ 10,223.00

For the time and place of recording to make this lien a valid claim, see quotation from ORS 87.033 on next page.

— OVER —



**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 December, 1985.

*Matthew D. Austin*  
Matthew D. Austin, Austin Roofing  
Claimant

State of Oregon, County of Klamath  
I, Matthew D. Austin

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 December, 1985.

*Susan H. Cronin*  
Notary Public for Oregon. My Commission expires 10-31-87

**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 December 19, 1985.  
*Matthew D. Austin*  
Matthew D. Austin  
Claimant

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. 126)

Matthew D. Austin,  
Austin Roofing  
Lien Claimant  
Klamath Investment Group,  
Howard V. Mathews,  
General Partner Owner

AFTER RECORDING RETURN TO  
BRANDSNESS & HUFFMAN, PC  
411 PINE STREET  
KLAMATH FALLS, OR 97601

**STATE OF OREGON**

County of Klamath  
I certify that the within instrument was filed in my office on the 30th day of December, 1985, at 10 o'clock M., and recorded in book        at page        or as file/reel No.        of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.  
By        Recording Officer  
Deputy

## EXHIBIT "A"

21229

## PARCEL 1:

A tract of land situated in the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 32, Township 38 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Beginning at the intersection of the Southerly line of Pine Street and the Easterly line of Eleventh Street in the City of Klamath Falls, Oregon; thence Northeasterly along said Southerly line of Pine Street 170 feet to a point thereon distant 50 feet Southwesterly along said Pine Street from the most Westerly corner of Lot 5, Block 3, Hot Springs Addition to the City of Klamath Falls, Oregon; thence Southeasterly and parallel with said Easterly line of Eleventh Street 112 feet; thence Southwesterly parallel to said Pine Street, 50 feet; thence Southeasterly parallel with Eleventh Street 8 feet; thence Northeasterly and parallel with the Northerly line of Main Street in the City of Klamath Falls, Oregon, 125 feet; thence Southeasterly and parallel with said Easterly line of Eleventh Street 120 feet to said Northerly line of Main Street at a point thereon distant 50 feet Southwesterly from the Southwest corner of Lot 6, Block 3, Hot Springs Addition to the City of Klamath Falls, Oregon; thence Southwesterly along said Northerly line of Main Street 245 feet to the Northeast corner of Main Street and Eleventh Street; thence Northwesterly along the Easterly line of Eleventh Street to the point of beginning.

LESS AND EXCEPT any portion of the alley in Block 3 Hot Springs Addition to the City of Klamath Falls, Oregon.

## PARCEL 2:

A tract of land situated in the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 32, Township 38 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, described as follows:

Commencing at the point on the Southerly line of Pine Street which is distant 50 feet Southwesterly along said Pine Street from the most Westerly corner of Lot 5, Block 3, Hot Springs Addition to the City of Klamath Falls, Oregon, and thence running Southeasterly and parallel with the Easterly line of Eleventh Street a distance of 112 feet to the true point of beginning of this description; thence Southwesterly and parallel to said Pine Street 50 feet; thence Southeasterly and parallel with Eleventh Street 8 feet; thence Northeasterly and parallel with the Northerly line of Main Street a distance of 50 feet; thence Northwesterly and parallel with Eleventh Street a distance of 8 feet, more or less, to said true point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_ the \_\_\_\_\_ 30th day of \_\_\_\_\_ December A.D. 19 85 at 4:51 o'clock P. M. and duly recorded in Vol. M85 of \_\_\_\_\_ Construction Liens on Page 21227

FEE \$13.00

Evelyn Biehn, County Clerk  
By \_\_\_\_\_ Pam Smith