

CL If claimant is other than original contractor use S-N Form No. 1162.

76047

Vol. 148 Page 10917

KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, did on the 5th day of May, 19 87, 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 geothermal 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 3 and 4 and the south half of Lot 2, Block 2, The Terraces, Klamath County, Oregon.

The address of said land, if known, is (if unknown, so state) 521 Hillside Street, Klamath Falls, Oregon, in said county and state.

The name of the owner or reputed owner of said land is Michael Miller and Glenda Miller, husband and wife, the name of the owner or reputed owner of said improvement is Michael Miller and Glenda Miller, husband and wife, 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 May 5, 1987, 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 May 14, 19 87, 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	\$	
and the reasonable rental value of equipment which is	\$	
If no contract price, the reasonable value of claimant's labor, materials and equipment is:		
Labor	\$	
Materials	\$	
Equipment	\$	
Recording fees	\$	1500.00
Total	\$	9.00
Less all just credits and offsets	\$	1509.00
Balance due claimant	\$	-0-
	\$	1509.00

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 87.633 on next page.

—OVER—

10918



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 June 22, 1987.

VanMeter and DeSpain Well Drilling, Inc.

By: Larry H. DeSpain  
Claimant

STATE OF OREGON, County of Klamath ss.

I, Larry DeSpain

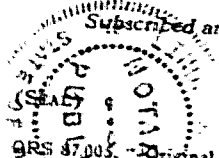
, being first duly sworn, depose and say: that I am the President claimant named in the foregoing instrument; that I have knowledge of the facts therein set forth; that all statements made in said instrument are true and correct as I verily believe.

Larry H. DeSpain

Subscribed and sworn to before me this 22nd day of June, 1987.

Glenda Lannon

Notary Public for Oregon. My commission expires 6-9-89



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 June 22, 1987.

VanMeter and DeSpain 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. 1151)

VanMeter & DeSpain Well Drilling, Inc.

Lien Claimant

vs.

Michael Miller and Glenda Miller, husband and wife

Lien Debtor

AFTER RECORDING RETURN TO  
CRANE & BAILEY  
Attorneys at Law  
540 Main St. Suite 204  
Klamath Falls, OR 97601

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON,

County of Klamath ss.

I certify that the within instrument was received for record on the 23rd day of June, 1987, at 4:35 o'clock PM, and recorded in book/reel/volume No. M87 on page 10917 or as file/instrument/microfilm/reception No. 76047, of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

By Ann Smith Deputy

Fee: \$9.00

204