

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

87158

KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, did on March 25, 1988, enter a contract 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 Gravel Pit Baileys Restaurant, State of Oregon, (which said improvement is situated upon certain land in the County of Klamath, is the site of said improvement), described as follows:

Building is located at 2838 S. 6th St., Klamath Falls, Ore. 97603 which is located on see legal description attached Exhibit "A".

ORIGINAL CONTRACTOR
COMPLETION OF
CITY OF

CITY OF OREGON

the date of this lien is the date of the completion of the improvement. The date of completion shall be the date of the completion of the improvement as shown on the plans and specifications of the improvement. The date of completion shall be the date of the completion of the improvement as shown on the plans and specifications of the improvement.

NOTICE TO THE OWNER: The claimant hereby gives notice to the owner of the improvement that the claimant is entitled to a lien on the improvement for the amount of the contract price, less any credits and offsets, and that the claimant is entitled to a lien on the improvement for the amount of the contract price, less any credits and offsets, and that the claimant is entitled to a lien on the improvement for the amount of the contract price, less any credits and offsets.

The address of said land, if known, is (if unknown, so state) 2838 S. 6th St., Klamath Falls in said county and state. Klamath County, Ore.

The name of the owner or reputed owner of said land is Swan Lake Molding Co.; the name of the owner or reputed owner of said improvement is Norwin S. and Sandra M. Yoffie; the name of the person who employed claimant to furnish said labor, materials, and/or equipment, and to perform said contract is Lee Bailey.

the person(s) just named, at all times herein mentioned, had knowledge of the construction of said improvement. Claimant commenced his performance of said contract on April 4, 1988, 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 April 6, 1988 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 \$ 1241.00

Said price includes materials and supplies in the amount of \$ 1241.00

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

Total

Less all just credits and offsets

Balance due claimant

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 87.035 on next page.

—OVER—

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

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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 5-10-1988

Lucas and Howard Furniture

Ronald D. Smith

Claimant

STATE OF OREGON, County of Klamath ss.

I, Ronald D. Smith

, being first duly sworn, depose

and say: that I am the owner of Lucas and Howard Furniture 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 10th day of May, 1988.

Notary Public for Oregon. My commission expires 12-29-89

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 created under subsection (1) or (2) of ORS 87.010 shall perfect the lien not later than 75 days after the person has ceased to provide labor, rent equipment or furnish materials or 75 days after completion of construction, whichever is earlier. Every other person claiming a lien under ORS 87.010 shall perfect the lien not later than 75 days after the completion of construction." Also that the lien claim "shall be perfected by filing a claim of lien 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 19.

Lucas and Howard Furniture

Claimant

ORS 87.039 provides:

"A person filing a claim of lien pursuant to ORS 87.035 shall mail to the owner and to the mortgagee a notice in writing that the claim has been filed. A copy of the claim of lien shall be attached to the notice. The notice shall be mailed not later than 20 days after the date of filing."*

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

Lucas and Howard Furn.

Lien Claimant

vs.

Norwin S. Yoffie
Sandra M. Yoffie

Lien Debtor

AFTER RECORDING RETURN TO

Lucas & Howard
Furniture
1128 E. Main
PRAMATH FALLS OR
97601

STATE OF OREGON,

County of _____ ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as file/instrument/micro-film/reception No. _____ of the Construction Lien Book of said County.

Witness my hand and seal of _____ County affixed.

NAME

TITLE

By [Signature] Deputy

7309

Order No.: 19644

EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land lying in the Northwest quarter of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

Starting at the Northwest corner of said Section 3; thence South 00 degrees 00' 30" East along the Westerly boundary of Section 3 and the centerline of Washburn Way, 917.42 feet to the intersection with the present centerline of Sixth Street, formerly known as the Dalles-California Highway, recorded bearing South 55 degrees 52' 30" East, at Engineers Station 9 + 17.42 feet on Washburn Way and Engineers Station 16 + 14.87 feet on Sixth Street present centerline, and continuing thence along said boundary and centerline 48.32 feet to Engineers Station 9 + 65.74 feet on South boundary of Sixth Street, which is distant 40 feet at right angles Southwesterly from centerline of Sixth Street at Engineers Station 16 + 41.99 feet; thence South 55 degrees 52' 30" East parallel to said centerline 463.02 feet to the true point of beginning of this description; thence from said true beginning point continuing South 55 degrees 52' 30" East parallel to said centerline 795.36 feet; thence at right angles South 34 degrees 07' 30" West, 204.00 feet; thence South 55 degrees 52' 30" East parallel to Sixth Street 145.00 feet; thence at right angles South 34 degrees 07' 30" West, 183.80 feet, more or less, to Northerly right of way line of the Oregon, California and Eastern Railroad; thence North 66 degrees 57' 30" West along said line 982.45 feet, more or less, to a point on the Easterly right of way line of Washburn Way which is 40.00 feet Easterly of said centerline; thence North 00 degrees 00' 30" West along said right of way line 503.39 feet; thence South 55 degrees 52' 30" East, 306.22 feet; thence North 34 degrees 07' 30" East, 160.00 feet to the true point of beginning.

Tax Account No.: 3909 003BC 00900 OA1
3909 003BC 00900

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of _____ the 10th day
of May A.D., 19 88 at 11:01 o'clock A.M., and duly recorded in Vol. M88
of _____ on Page 7307
Construction Liens

Evelyn Blahn
By _____
County Clerk

FEE

\$15.00