

99605

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**KNOW ALL MEN BY THESE PRESENTS:** The undersigned, hereinafter called the claimant, did on December 12, 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 access road building and site preparation for construction of truck garage facility; 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: a portion of the NE1/4 NW1/4 Section 18 Township 38 Range 9 East of the Willamette Meridian (and further described on the books of the Klamath County Assessor under Account No. 3809-18BA as Tax Lot 1700) and also a portion of the NW1/4 NW1/4 Section 18 Township 38 Range 9 East of the Willamette Meridian (and further described on the books of the Klamath County Assessor under Account No. 3809-18BB as Tax Lot 400).

The address of said land, if known, is (if unknown, so state) unknown

The name of the owner or reputed owner of said land is James Leroy Robinson in said county and state.  
the name of the owner or reputed owner of said improvement is James Leroy Robinson  
the name of the person who employed claimant to furnish said labor, materials, and/or equipment, and to perform said contract is James Leroy Robinson  
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 December 12, 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 March 20, 1989, 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	\$	2,610.00
Materials	\$	2,940.50
Equipment	\$	0.00
Interest on balance unpaid since 3/20/89 @ 2% / mo	\$	71.01
Recording fees	\$	16.50
Total	\$	5,638.01
Less all just credits and offsets	\$	2,000.00
Balance due claimant	\$	3,638.01

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—

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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 April 28, 19 89

R & C RODGERS TRUCKING, INC.

CHARLOTTE D. RODGERS, President  
Claimant

STATE OF OREGON, County of Klamath ss.

I, CHARLOTTE D. RODGERS, being first duly sworn, depose

and say: that I am the President of the incorporated entity acting as the 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 28 day of April, 1989

DeAnna E. Marney  
NOTARY PUBLIC-OREGON

(SEAL)

My Commission Expires 11-2-91

Charlotte D. Rodgers  
DeAnna E. Marney  
Notary Public for Oregon. My commission expires 11-2-91

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 April 28, 1989

R & C RODGERS TRUCKING, INC.

Claimant

By Charlotte D. Rodgers, Pres.

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. 1141)

R & C Rodgers Trucking, Inc.  
Charlotte D. Rodgers, President

Lien Claimant

VS.

James Leroy Robinson

Lien Debtor

AFTER RECORDING RETURN TO

R & C Rodgers Trucking, Inc.

Rt 5, Box 1146X

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 28th day of April, 1989, at 9:33 a'clock A.M., and recorded in book/reel/volume No. M89 on page 7332 or as file/instrument/microfilm/reception No. 99605, of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

By Caroline Mullins, Deputy

Fee \$10.00

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