

FORM No. 1161—CONSTRUCTION LIEN—Original Contractor Only.

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

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KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, did on or about SEPTEMBER 13, 1989, 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 installing septic drain line, pumping seepage, cleaning tank and dumping seepage; 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:

TOWNSHIP 38 S RANGE 11½ E SECTION 34 B POR. S ½ N W ¼ TAX LOT 800
DEED M8613629

ORIGINAL COMPLETION
COMPLETION TIME
CITY OF

The address of said land, if known, is (if unknown, so state) DAIRY CAFE, DAIRY, OREGON in said county and state.

The name of the owner or reputed owner of said land is HARVEY BEENY;
the name of the owner or reputed owner of said improvement is HARVEY BEENY;
the name of the person who employed claimant to furnish said labor, materials, and/or equipment, and to perform said contract is HARVEY BEENY P. O. BOX 1164 KLAMATH FALLS, OR 97601;
the person(s) just named, at all times herein mentioned, had knowledge of the construction of said improvement.
(2911) Claimant commenced his performance of said contract on SEPTEMBER 14, 1989, 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 SEPTEMBER 16, 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 engineering and design	\$	775.00
Materials and mileage	\$	173.75
Equipment Seepage pumping and dumping charge	\$	324.68
Equipment	\$	25.00
Recording fees, preparation fee and postage	\$	1,298.43
Total	\$	1,298.43
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 OPS 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 OCTOBER 16, 1989

Brian H. Littleton
Brian H. Littleton, owner ROOT-N-ROOTER
Sewer & Drain Service & Septic Tank Pumping
Claimant

STATE OF OREGON, County of KLAMATH ss.

I, BRIAN H. LITTLETON, being first duly sworn, depose

and say: that I am the owner-operator of ROOT-N-ROOTER Sewer & Drain Service & Septic Tank Pumping 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 16th day of OCTOBER, 1989

P. Michael R. Rutledge
Notary Public for Oregon. My commission expires April 1, 1990

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 _____ County, Oregon, on _____, 19____

Claimant

By _____

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)

BRIAN H. LITTLETON
ROOT-N-ROOTER

Lien Claimant

HARVEY BEENEX

vs.

Lien Debtor

AFTER RECORDING RETURN TO:
ROOT-N-ROOTER Sewer & Drain
BRIAN H. LITTLETON
2252 VINE AVE.
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 16th day of Oct., 1989, at 3:01 o'clock P.M., and recorded in book/reel/volume No. M89 on page 19628 or as file/instrument/microfilm/reception No. 6491, of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk
NAME TITLE

By Pauline Mulholland, Deputy

Fee: \$10.00