

OT If Claimant is an original contractor, use S-N Form No. 1161.

11075

KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, has performed labor, transported or furnished materials and/or rented equipment under a contract between claimant and

JOEL DEAVILLA

who was the ☒ original contractor, ☐ subcontractor,

☐ construction agent or ☐ other person (indicate which) having charge of the construction of that certain improvement known as a dwelling situated upon certain land in the County of Klamath, State of Oregon; which is the site of said improvement, described as follows:

NW $\frac{1}{4}$  SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 7, township 40 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon, SAVING AND EXCEPTING therefrom the Northerly 30 feet and the Easterly 30 feet.

OTHER THAN ORIGINAL CONSTRUCTION

Tax Account No. 4008 00700 02000

CPM 01

THE DEED OF TRUST... OF THE COUNTY OF KENOSHA... THE DEED OF TRUST... OF THE COUNTY OF KENOSHA... THE DEED OF TRUST... OF THE COUNTY OF KENOSHA...

B-

The address of said improvement, if known (if unknown, so state) is 15650 Tucker Crossing, Highway 66 in the City of Keno, in said county and state.

The name of the owner or reputed owner of said land is Melvin D. Crockett and Annetta L. Crockett, who at all times herein mentioned had knowledge of the construction of said improvement.

The name of the person by whom claimant was employed or to whom he furnished said materials and for whom he performed said labor and/or rented equipment is Joel Deavilla

Claimant commenced his performance of said contract on July 20, 1989, and completed same on November 28, 1989, after which he ceased to provide labor, transport or furnish materials and/or rent equipment.

A Notice of Right to Lien in the form required by ORS 87.023 was delivered in person or delivered by registered or certified mail, to said owner on 1989, and this lien covers only those materials and that labor provided after a date which is 10 days before said Notice of Right to Lien was delivered or mailed (if construction was commenced after October 14, 1983) OR 8 days not including Saturdays, Sundays and other Holidays as defined in ORS 187.010 before said Notice of Right to Lien was delivered or mailed (if construction was commenced after October 14, 1983).

The following is a true statement of claimant's demand after deducting all just credits and offsets, to-wit:

The reasonable value of claimant's labor, materials and equipment is:

Labor	\$ 2,060.04
Materials	\$ 10.00
Equipment	\$ 2,070.04
Recording fees	\$ 150.00
Total	\$ 1,920.04
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 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 February 5, 1990

KLAMATH FALLS BRICK & TILE

By Harold P. Lumsden  
Claimant

for the time and place of recording to make this lien a valid claim, see quotation from ORS 87.035 on next page.

— OVER —

NO FEB 5 PM 3 35



STATE OF OREGON, County of Klamath ss.

I, HAROLD P. LUMSDEN, being first duly sworn, depose

and say: that I am the General Manager

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.

*Harold P. Lumsden*

Subscribed and sworn to before me this 5th day of February, 1990

*Michael H. Pieler*

Notary Public for Oregon. My commission expires 9/16/93

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."

Other persons as defined in ORS 87.010 before and notice of lien to the owner of the improvement or some part thereof, as defined in ORS 87.010, 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. 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."

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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 February 5th, 1990

the address of said improvement, if known (if unknown so state) is 411 Pine Street, Klamath Falls, OR 97601

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**

OTHER THAN ORIGINAL CONTRACTOR  
(Form No. 1162)

Klamath Falls Brick &  
Tile

Melvin D. Crockett and  
Annetta L. Crockett

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Melvin D. Crockett and  
Annetta L. Crockett

STATE OF OREGON,

County of Klamath ss.

I certify that the within instrument was received for record on the 6th day of Feb., 1990, at 3:35 o'clock P.M., and recorded in book/reel/volume No. M90 on page 2538 or as file/instrument/microfilm/reception No. 11075 of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

By Deanne Miller, Deputy

Fee \$10.00