

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

15175

Vol. m90 Page 9774

KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, did on December 12, 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 Occupational Center.
 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:

Description of real property is attached as Exhibit "A" and by this reference made a part hereof.

ORIGINAL CONTRACTOR
 CONSTRUCTION LIEN
 COUNTY OF

STATE OF OREGON

The address of said land, if known, is (if unknown, so state) 2621 Crosby Avenue, Klamath Falls, in said county and state.
 The name of the owner or reputed owner of said land is Waggoner Plaza Limited Partnership, the name of the buyer or reputed owner of said improvement is Craig Porter, the name of the person who employed claimant to furnish said labor, materials, and/or equipment, and to perform said contract is Craig Porter.
 Claimant commenced performance of said contract on December 27, 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 said contract on April 3, 1990, after which claimant 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 \$
 Total \$
 Less all just credits and offsets \$
 Balance due claimant \$
26,754.09
15.00
26,769.09
20,083.09
6,686.00

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 87.035 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 singular includes the plural as the circumstances may require.

Dated 5-17-90

By: Bobbie Lou Walker

Claimant

STATE OF OREGON, County of Klamath ss.

I, Bobbie Lou Walker

being first duly sworn, depose

and say: that I am the Lien Claimant and say that I have knowledge of the facts therein set forth; that all statements made 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 17th day of May, 1990.

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."

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 May 21, 1990.

By Reginald R. Davis, Attorney at Law

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." ss.

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

Bobbie Lou Walker

Lien Claimant

vs.

Craig Porter

Lien Debtor

AFTER RECORDING RETURN TO

Brandness, Brandness & Davis, P.C. Attorneys at Law 411 Pine Street Klamath Falls, OR 97601

STATE OF OREGON, ss.

I certify that the within instrument was received for record on the day of May, 1990, at o'clock M., and recorded in book/reel/volume No. on page or as file/instrument/microfilm/reception No. of the Construction Lien Book of said County. Witness my hand and seal of County affixed.

By NAME TITLE Deputy

EXHIBIT "A"

Parcel 1: A tract of land being Lot 1 and a portion of Lot 2 in Block 3 of Tract 1080, Washburn Park, in the County of Klamath, State of Oregon, more particularly described as follows:

Beginning at the Southwest corner of said Lot 1; thence North 00°04'50" East 195.00 feet to the Northwest corner of said Lot 1; thence continuing North 00°04'50" East 57.80 feet; thence South 89°25'10" East 300.00 feet; thence South 00°04'50" West 57.80 feet to the Northeast corner of said Lot 1; thence continuing South 00°04'50" West 195.00 feet to the Southeast corner of said Lot 1; thence North 89° degrees 25'10" West 300.00 feet to the point of beginning. EXCEPTING THEREFROM that portion conveyed to the State of Oregon, by and through its Department of Transportation, Highway Division, recorded August 16, 1976, in Deed Volume M-76 on page 12646, Microfilm Records of Klamath County, Oregon.

Parcel 2: A tract of land situated in Lot 2, Block 3, Tract 1080, Washburn Park, in the County of Klamath, State of Oregon, more particularly described as follows: Beginning at a point on the Easterly right of way line of Washburn Way, said point being North 00°04'50" East 57.80 feet from the Northwest corner of Lot 1, Block 3; thence South 89°25'10" East 300.00 feet to the true point of beginning; thence South 89°25'10" East a distance of 100.08 feet to a point; thence South 89°56'30" East a distance of 51.67 feet to the Northwest corner of parcel conveyed to Ronald T. Williams, et ux., by Deed Volume M-77 at page 17511; thence South 0°04'50" West along the West line of last mentioned parcel a distance of 253.26 feet to the North line of Crosby Avenue; thence North 89°25'10" West along said North line a distance of 151.76 feet to the Southeast corner of Lot 1, Block 3; thence North 0°04'50" East a distance of 252.8 feet, more or less, to the point of beginning.

Parcel 3: A tract of land being a portion of Lot 2, Block 3, Tract 1080, Washburn Park, in the County of Klamath, State of Oregon, being more particularly described as follows: Beginning at the Southwest corner of said Lot 2; thence North 00°04'50" East 57.80 feet to the true point of beginning; thence North 00°04'50" East 96.35 feet; thence South 89°56'30" East 400.03 feet to the East line of said Lot 2; thence South 00°03'30" West 100.00 feet; thence North 89°25'10" West 400.08 feet to the true point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Brandsness, Brandsness, Davis the 22nd day of May A.D., 19 90 at 4:02 o'clock PM., and duly recorded in Vol. M90 of Construction Lien on Page 9774.

FEE \$15.00

Evelyn Biehn, County Clerk

By Pauline Mueller