

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

17863

Vol. 790 Page 14534

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 Paul Barnett, dba Barnett Construction

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

That certain parcels of real property located in SE 1/4, Section 9, Township 39 South, Range 9 East Willamette Meridian, particularly described as the Burlington Northern Railroad mainline right of way, rail yard and appertinent real properties, including, but not limited to those lands described as PCU 1961, No. 2 and 4.

CONSTRUCTION LIEN

GIVEN BY

21716 OF 070007

The address of said improvement, if known (if unknown, so state) is 1800 Laverne Avenue, Klamath Falls, Oregon 97603

The name of the owner or reputed owner of said land is Burlington Northern Railroad in the City of Klamath Falls, in said county and state.

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 materials were furnished and for whom labor was performed and/or equipment rented is Paul Barnett, Barnett Construction; Joe Beaver

Claimant commenced performance of said contract on December 18, 1989, and completed the same on May 20, 1990, after which claimant 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 N/A, 19 , and this lien covers only those materials and that labor provided after a date which is eight 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.

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 \$ 2754.50

Materials \$ 16100.62

Equipment \$ 13.00

Recording fees \$ 18868.12

Total \$ (-0-)

Less all just credits and offsets \$ 18868.12

Balance due claimant \$ 18868.12

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 singular pronoun includes the plural, as the circumstances require.

Dated 7-20, 1990

Claimant

14535

STATE OF OREGON, County of Klamath ss.I, John Bowers

being first duly sworn, depose

and say: I am the Pres President of Bowers Excavating & Fencing, Inc.
 claimant named in the foregoing instrument. I have knowledge of the facts therein set forth. All statements made in
 said instrument are true and correct as I verily believe.

Subscribed and sworn to before me this 20th day of July, 1990

(SEAL)

Shirley F. Hamil
 Notary Public for Oregon. My commission expires 9-10-93

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 _____ County, Oregon, on _____, 19____.

By _____ 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

OTHER THAN ORIGINAL CONTRACTOR

(Form No. 1162)

Bowers Excavating & Fencing

Lien Claimant

Owner

AFTER RECORDING RETURN TO

Aspell, Della-Rose & Richard
122 South 5th
Klamath Falls, OR 97601

STATE OF OREGON,

County of Klamath ss.

I certify that the within instrument was received for record on the 20th day of July, 1990, at 4:30 o'clock P.M., and recorded in book/reel/volume No. M90 on page 14534 or as file/instrument/microfilm/reception No. 17863 of the Construction Lien Book of said County.

Witness my hand and seal of _____ County affixed.

Evelyn Biehn, County Clerk
 By Deborah S. Hetch, deputy

Fee \$10.00