

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

Vol mg0 Page 16400

18938

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 FRANK BORGES who was the ☒ original contractor, ☐ subcontractor, ☐ construction agent ☐ or other person (indicate which) having charge of the construction of that certain improvement known as MINI-WAREHOUSE situated upon certain land in the County of KLAMATH, State of Oregon, which is the site of said improvement, described as follows:

A TRACT OF LAND SITUATED IN THE NE $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 10, TOWNSHIP 36 SOUTH, RANGE 6 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF KLAMATH, STATE OF OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN AT THE SOUTHWEST CORNER OF LOT 25, FRONTIER TRACTS, SAID CORNER BEING SOUTH 0 DEGREES 36' WEST A DISTANCE OF 669.40 FEET AND SOUTH 89 DEGREES 24' WEST A DISTANCE OF 460.0 FEET FROM CENTER QUARTER CORNER OF SAID SECTION 10; THENCE NORTH 0 DEGREES 36' EAST A DISTANCE OF 247.0 FEET TO AN IRON PIN; THENCE SOUTH 89 DEGREES 24' WEST A DISTANCE OF 50.0 FEET TO AN IRON PIN; THENCE NORTH 0 DEGREES 36' EAST A DISTANCE OF 99.2 FEET TO AN IRON PIN ON THE SOUTH LINE OF "A" STREET FRONTIER TRACTS; THENCE SOUTH 89 DEGREES 17' WEST ALONG THE SOUTH LINE OF SAID "A" STREET A DISTANCE OF 190.0 FEET TO AN IRON PIN; THENCE SOUTH 0 DEGREES 36' WEST A DISTANCE OF 158.2 FEET; THENCE SOUTH 80 DEGREES 46' WEST A DISTANCE OF 275.7 FEET TO THE EAST LINE OF STATE HIGHWAY # 421; CONT. -

The address of said improvement, if known (if unknown, so state) is UNKNOWN in the City of STOUT/ECHO STOUT in said county and state.

The name of the owner or reputed owner of said land is ROBERT SLOAN/KATHARINE SLOAN AND GREGORY 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 FRANK BORGES.

Claimant commenced performance of said contract on APRIL 30, 1990, and completed the same on JUNE 26, 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 , 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	\$ 4,582.86
Materials	\$ 11.50
Equipment	\$ 4,594.36
Recording fees	\$ 1,000.00
Total	\$ 10,188.72
Less all just credits and offsets	\$ (5,594.36)
Balance due claimant	\$ 4,594.36

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 AUGUST 15, 1990

JEFFERSON STATE RED-MIX, INC.

Keith Hamilton
Claimant

190 AUG 15 PM 2 32

16401

STATE OF OREGON, County of KlamathI, Keith Hamilton

being first duly sworn, depose

and say: I am the CLAIMANT
 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.

Keith Hamilton

Subscribed and sworn to before me this 15th day of August, 1990

Phyllis R. Riddick
 Notary Public for Oregon. My commission expires 4/1/94

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 AUGUST 15TH, 1990

JEFFERSON STATE RED-MIX INC.

Claimant

By KEITH HAMILTON

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)

JEFFERSON STATE RED-MIX INC.

KEITH HAMILTON Lien Claimant

ROBERT SLOAN/KATHARINE SLOAN

GREGORY STOUT/ECHO STOUT Owner

AFTER RECORDING, RETURN TO

188:18

STATE OF OREGON,

County of _____

I certify that the within instrument was received for record on the _____ day of _____, 19_____, 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 Phyllis R. Riddick Deputy

JEFFERSON STATE REDI-MIX

4815 TINGLEY LANE • KLAMATH FALLS • OREGON 97603
(503) 882-2286

CONTINUATION

AUGUST 14TH 1990

THENCE SOUTH 3 DEGREES 07' EAST ALONG SAID EAST LINE A DISTANCE OF 146.8 FEET TO AN IRON PIN ON THE SOUTH LINE OF FRONTIER TRACTS;
THENCE NORTH 89 DEGREES 24' EAST ALONG SAID SOUTH LINE A DISTANCE OF 518.93 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;

BUT EXCEPTING THEREFROM THE PARCEL DEEDED TO HARRY R. WAGGONER BY BOOK 358 AT PAGE 306, DEED RECORDS;

RESERVING THEREFROM 20 FOOT ROADWAY EASEMENT OVER THE NORTH SIDE OF WEST PORTION, INCLUDING THE TERMS AND PROVISIONS THEREOF, AS SET FORTH IN DEED FROM FRONTIER GUEST RANCH RECORDED OCTOBER 24, 1960 IN BOOK 325 AT PAGE 13, DEED RECORDS;

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Jefferson State Redi-Mix the 15th day
of Aug. A.D., 19 90 at 2:32 o'clock P M., and duly recorded in Vol. M90,
of Construction Lien on Page 16400.

Evelyn Biehn County Clerk

By Debra Mullendate

FEE \$15.00
cc 6.00