

OREGON TEAMSTER EMPLOYERS TRUST)

) CLAIM OF LIEN -

v.)

BEAVER BREAD, INC.)

) Contributions to Employee
) Benefit Plan
)
)
)

KNOW ALL MEN BY THIS NOTICE, that the Trustees of the Oregon Teamster Employers Trust, or the successors thereof, through their administrative agent, claim a lien for employee benefit contributions due the aforesaid Trust Fund pursuant to the provisions of ORS 87.855 et seq., on the "earnings and on all property used in the operation of the employer's business," described more particularly as follows:

A. Employer: Harold E. Lyon and Gary A. Lyon
dba Beaver Bread Wholesale

B. Business: 1313 Owens St.
Klamath Falls, OR 97601

C. Street Address: for Harold E. Lyon
2253 Reclamation
Klamath Falls, OR 97601

for Gary A. Hayden
4704 Alpine
Klamath Falls, OR 97603

D. Description of Employer's Property:

All real estate, and personal property including trucks, equipment and office supplies.

1. At the special instance and request of the employees of Harold E. Lyon and Gary A. Hayden, dba Beaver Bread Wholesale, whether union or non-union, as defined in and covered by the labor agreement in effect at the time of the employee's work, between Teamsters Local 962, and the employees who performed labor for or on behalf of the above employer in the County of Klamath, State of Oregon. The real property used in the operation of the employer's business is more particularly described as follows:

See Exhibit A attached

2. As a result of the employment with the employer in the above-described business during the months of November and December, 1990, contributions became due to the aforesaid Trust Funds on December 15, 1990 and January 15, 1991 respectively.

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3. The following is a true statement of the Trustee's demand after deducting all just credits and offsets:

Calculation of Demand: $(2 \times \$1286.90 = \$2573.80)$

Contributions of: \$2573.80

Liquidated Damages: \$514.76

Filing Costs: \$15.00

Total Demand: \$3,103.56

4. The Trustees of the aforesaid Trust Fund claim a lien for a total amount of \$3,103.56 as listed above, upon: The earnings and all property used in the operations of the above-described employer's business. This lien is claimed by the Trustees of the Trust Fund pursuant to their authority conferred on them by the Trust Agreements, as amended, establishing the Trust Funds, in order to compel the Employer to pay Employee Benefit Contributions to the Trust Fund as required by the terms of the Labor Agreements.

5. The statutory time in which the Trustees have to make and file this claim of lien pursuant to ORS 87.860 with the Clerk of Klamath County in which said employees were employed by said Employer has not yet expired.

DATED this 31 day of January, 1991.

CARNEY, BUCKLEY, KASAMEYER & HAYS

By

Linda J. Larkin, Of Attorneys for
Oregon Teamsters Employers Trust

STATE OF OREGON)

) ss.

County of Multnomah)

I, Linda J. Larkin, being first duly sworn depose and say that I am the Attorney for the claimant named in the foregoing notice of claim of lien and know the contents thereof; that the statements and claim therein made are correct and true as I verily believe.

SUBSCRIBED AND SWORN to before me this 31 day of

January, 1991.

Denise J. Davis
Notary Public for Oregon
My Commission Expires: 3-13-91

1	1175	Lot 2, Block 202, MILLS SECOND ADDITION to the City of Klamath Falls, Oregon.
2		
3		SUBJECT TO TRUST DEED, including the terms and provisions thereof, executed by Granger, as Grantor, to William Carney, as Trustee, for First Federal Savings and Loan Association of Klamath Falls, a Federal Corporation, as Beneficiary, dated January 11, 1963, recorded January 17, 1963.
4		In Volume 21, at Page 222, Klamath County Records of Klamath County, Oregon, which said Trust Deed, and the note which it secures, practices note.
5		Expressly assume and agree to pay and expressly covenant and agree to hold Ray Higley harmless therefrom.
6		TO HAVE AND TO HOLD said premises with their appurtenances unto the said

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Carney, Buckley, Kasameyer, Hays the 4th day
of Feb. A.D. 19 91 at 12:40 o'clock PM., and duly recorded in Vol. M91
of Co. Lien Docket on Page 2144.

FEE \$15.00

Evelyn Biehn County Clerk
By Pauline Mullender

Return: Carney, Buckley, Kasameyer, Hays
1618 SW First Ave. #410
Portland, Or. 97201

EXHIBIT A