

OKBB If claimant is an original contractor, use S-N Form No. 1161: 210'00

Vol. 99 / Page 3601

26366

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 Russ Blevins who was the ☒ original contractor, ☐ subcontractor, ☐ construction agent or ☐ other person (indicate which) having charge of the construction of that certain improvement known as house situated upon certain land in the County of Klamath, State of Oregon, which is the site of said improvement, described as follows:

Twn 39 R10 Sec19A Tax lot 1600 Lot 1 Block 3 Rolling Hills Subdivision

CONSTRUCTION LIEN

OF THE

STATE OF OREGON

The address of said improvement, if known (if unknown, so state) is 6250 Bay Street in the City of Klamath Falls, in said county and state.

The name of the owner or reputed owner of said land is Ralph and Betty Carestia, 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 Russ Blevins.

Claimant commenced his performance of said contract on August 24, 1990, and completed same on January 12, 1991, 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 August 31, 1990, 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 January 1, 1982 and before October 15, 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	\$
Materials	\$ 7768.74
Equipment	\$
Recording fees	\$ 10.00
Total	\$ 7778.74
Less all just credits and offsets	\$
Balance due claimant	\$ 7778.74

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 27, 1991

Russ Blevins

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

Empire Building Supply of Oregon, Inc.

Claimant

— OVER —

3600

Adopted by the Oregon State Bar Association, 1961, and amended by the Oregon State Bar Association, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025.

CLERK

CLERK

3602



NOTICE: This form is to be used only for construction contracts.

STATE OF OREGON, County of Klamath ss.

I, N. Gail Mitchell, being first duly sworn, depose and say: that I am the Office manager of Empire Building Supply of Oregon, Inc. 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.

N. Gail Mitchell

Subscribed and sworn to before me this 27th day of February, 19 91.

(SEAL)

DIANE LONEY
NOTARY PUBLIC - OREGON

Notary Public for Oregon My commission expires 3-27-91

ORS 87.005. "Original Contractor" means a contractor who has a contractual relationship with the owner"; a subcontractor does not. The original contractor created by subsection 1 of ORS 87.010. Section ORS 87.035 provides: "Every person claiming a lien under subsection (1) or (2) of ORS 87.040 shall file the claim not later than 90 days after the person has ceased to provide labor, rent equipment or furnish materials. Every other person claiming a lien under ORS 87.010 shall file the claim not later than 90 days after the completion of the construction." Also that the lien claim "shall be filed for recording 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 February 27, 19 91.

Empire Building Supply of Oregon, Inc.

Claimant

By N. Gail Mitchell

ORS 87.039 provides:

"A person filing a claim for a lien as provided by 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 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)

Lien Claimant

Owner

AFTER RECORDING RETURN TO

Empire Building Supply
P.O. Box 1268
Klamath Falls, OR 97601

Fee \$10.00

STATE OF OREGON,

County of Klamath ss.

I certify that the within instrument was received for record on the 27th day of Feb., 19 91, at 2:34 o'clock P.M., and recorded in book/reel/volume No. M91 on page 3601 or as file/instrument/microfilm/reception No. 26366, of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

NAME

TITLE

By Pauline Mueller Deputy