

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

31941

Vol. 91 Page 13741

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 Bowers Excavating & Fencing, Inc. who was the ☐ original contractor, ☒ subcontractor, ☐ construction agent ☐ or other person (indicate which) having charge of the construction of that certain improvement known as fuel tank removal & backfill situated upon certain land in the County of Klamath State of Oregon, which is the site of said improvement, described as follows:

PARCEL 1: LOTS 27A, 27B, 28A, 28B, 29A, 29B, 30A AND 30B, ALL IN BLOCK 6 OF RAILROAD ADDITION TO THE CITY OF KLAMATH FALLS, IN KLAMATH COUNTY, OREGON, ACCORDING TO THE OFFICIAL RECORDS THEREOF ON FILE IN KLAMATH COUNTY, OREGON.

PARCEL 2: LOTS 21A, 21B, 21C, 22A, 22B, 23A, 23B, 24A, 24B AND 25B, ALL IN BLOCK 6 OF RAILROAD ADDITION TO THE CITY OF KLAMATH FALLS, IN KLAMATH COUNTY, OREGON, ACCORDING TO THE OFFICIAL RECORDS THEREOF ON FILE IN KLAMATH COUNTY, OREGON.

* Note: Cascade Petroleum Service, Inc. is general contractor for Consolidated Freightways fuel tank removal & backfill project, who issued a subcontract to Bowers Excavating and Fencing, Inc. who employed Western Rock Reduction Co. to furnish equipment, labor and materials to project. The address of said improvement, if known (if unknown, so state) is 645 Broad Ave.

645 Broad Ave. in the City of Klamath Falls, in said county and state. The name of the owner or reputed owner of said land is Consolidated Freightways Corporation of Delaware, 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 Cascade Petroleum Service, Inc.*

Claimant commenced performance of said contract on March 25, 1991, and completed the same on May 1, 1991, 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 1991, 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	\$ 2071.37
Materials	\$ 7195.63
Equipment	\$ 10453.00
Interest on unpaid Balance since 5/2/91 @ 18% A.P.R.	\$ 290.59
Recording fees	\$ 13.00
Total	\$ 10708.50
Less all just credits and offsets	\$ 9315.09
Balance due claimant	\$

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 7/15, 1991.

Western Rock Reduction Co.

by Robin L. Weathers Sec./Treas.
Claimant

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

— OVER —

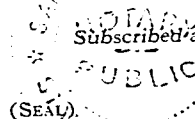
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STATE OF OREGON, County of Klamath.....SS.

I, Robin L. Weathers....., being first duly sworn, depose

and say: I am the ~~Secretary-Treasurer~~ of the incorporated entity acting as the 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 15 day of July, 1991

Notary Public for Oregon. My commission expires 7/23/92

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 July 15, 1991

Western Rock Reduction Company.....
By Robin L. Weathers, Sec./Treas. 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)

Western Rock Reduction Co.
Robin L. Weathers, Sec./Treas.
Lien Claimant

Consolidated Freightways
Corporation of Delaware
Owner

AFTER RECORDING RETURN TO
Western Rock Reduction Co.
P. O. Box 1269
Shady Cove, OR 97539

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON,

County of Klamath.....} SS.

I certify that the within instrument was received for record on the 15th day of July, 1991, at 12:01 o'clock P.M., and recorded in book/reel/volume No. M91 on page 13741 or as file/instrument/microfilm/reception No. 31941, of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Evelyn Bishop, County Clerk.....
NAME TITLE

By [Signature] Deputy

Fee \$10.00
cc's 3.00