

37943

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KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, did on SEPT 20, 1991, enter a contract for the performance of labor, transporting or furnishing materials to be used in or renting equipment used in the construction of said improvement known as PAINTING AND REMODELLING said improvement is situated upon certain land in the County of KLAMATH, State of Oregon, (which is the site of said improvement), described as follows:

HOUSE AND GARAGE, AND APPLY ONE COAT OF PAINT (EXTERIOR)  
(PAINT SUPPLIED BY OWNER) TO HOUSE AND GARAGE. REPAIR  
WINDOWS AND GLAZING AS REQUIRED. FENCE AND UPPER DECK  
ARE NOT INCLUDED. RE-SHEETROCK DOWNSTAIRS BEDROOM CLOSET.  
INSTALL NAILERS AND SHEETROCK BASEMENT BATHROOM  
WITH WATER RESISTANT WALLBOARD AND TAPE AND  
TEXTURE NEW SHEETROCK. PREPARE AND FILL SETTLING  
CRACKS IN PLASTER WITH WALLBOARD AND REPAIR TEXTURE  
SILICONE CAULKING AS REQUIRED AND COMPOUND OR  
FINISH THROUGHOUT HOUSE AS CLOSE AS POSSIBLE  
TO EXISTING FINISH. CONTRACTOR TO PROVIDE EXTERIOR  
PRIMER PAINT AFTER SCRAPING AND APPLY SAME.  
WORK TO BE PERFORMED ON TIME & MATERIAL BASIS  
WITH PAYMENT ON COMPLETION.

The address of said land, if known, is (if unknown, so state) 2039 LAWRENCE ST., KLAMATH  
FALLS  
The name of the owner or reputed owner of said land is MIKE DAVIS in said county and state.

the name of the owner or reputed owner of said improvement is DAN BAILEY  
the name of the person who employed claimant to furnish said labor, materials, and/or equipment, and to perform said contract is MIKE DAVIS  
the person(s) just named, at all times herein mentioned, had knowledge of the construction of said improvement.

Claimant commenced performance of said contract on SEPT 21, 1991, provided and furnished all labor, materials and equipment required by said contract and actually used in the construction of said improvement and fully completed said contract on OCTOBER 12, 1991, after which claimant ceased to provide labor, materials or equipment for said improvement.

The following is a true statement of claimant's demand after deducting all just credits and offsets to-wit:

Contract price	
Said price includes materials and supplies in the amount of	\$
and the reasonable rental value of equipment which is	\$
If no contract price, the reasonable value of claimant's labor, materials and equipment is:	
Labor	\$ 20.00 PER HR.
Materials	\$ 1160.00
Equipment	\$ 238.75
Recording fees	\$ 110.00
Total	\$ 45.00
Less all just credits and offsets	\$ 21.50
Balance due claimant	\$ 1575.25

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 the said site, to be determined by the court at the time of the foreclosure of this lien.

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

—OVER—

NOTE: THIS FORM TO BE USED ONLY FOR CONSTRUCTION COMMENCED AFTER JANUARY 1, 1982.

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In construing this instrument the singular includes the plural as the circumstances may require.

Dated NOV 27, 1991

*Daniel H. Bailey*

Claimant

STATE OF OREGON, County of Klamath ss.

I, DANIEL H. BAILEY

, being first duly sworn, depose

and say: that I am the 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.

VIVIENNE I. HUSTEAD  
NOTARY PUBLIC-OREGON

My Commission Expires

Subscribed and sworn to before me November 27, 1991

*Vivienne I. Hustead*  
Notary Public for Oregon. My commission expires 4-11-93

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\_\_\_\_

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.\* \* \*

By \_\_\_\_\_ Claimant

**CLAIM OF  
CONSTRUCTION LIEN  
ORIGINAL CONTRACTOR**  
(Form No. 1161)

DAN BAILEY CONSTRUCTION  
1427 JOHNSON AV. K.F. 97601  
Lien Claimant

VS. \*

MIKE DAVIS  
2039 LAWRENCE ST  
K.F. 97601 Lien Debtor

AFTER RECORDING RETURN TO

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 27th day of Nov, 1991, at 11:42 o'clock A. M., and recorded in book/reel/volume No. M91 on page 24894 or as file/instrument/microfilm/reception No. 37943 of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk

NAME

TITLE

By Daniel H. Bailey Deputy

Fee \$10.00  
cc 1.50

20  
10.00  
1.50