

46108

FORM No. 1161—CONSTRUCTION LIEN—Original Contractor Only.

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OT If claimant is other than original contractor use S-N Form No. 1162.

44229

KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, did on March 27, 1992, 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 Installation of customer provided kitchen hood, fan, grease stack, evaporative cooler, and misc. ductwork 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:

See legal description on exhibit "A"

"Re-Recorded with attached legal description"

6-12-92

The address of said land, if known, is (if unknown, so state) 1405 Eastside Bypass, Klamath Falls, in said county and state.

The name of the owner or reputed owner of said land is Warren M. Poole and Marian Faye Poole; the name of the owner or reputed owner of said improvement is Mike Ellis and Kathleen Long DBA Mike & Kathy's Country Kitchen; the name of the person who employed claimant to furnish said labor, materials, and/or equipment, and to perform said contract is Mike Ellis and Kathleen Long DBA Mike and Kathy's Country Kitchen; the person(s) just named, at all times herein mentioned, had knowledge of the construction of said improvement.

Claimant commenced his performance of said contract on March 31, 1992, provided and furnished all labor, materials and equipment required by said contract and actually used in the construction of said improvement and fully completed his said contract on April 20, 1992, after which he 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:	\$	980.00
Labor	\$	585.00
Materials	\$	
Equipment	\$	13.00
Recording fees	\$	1578.00
Total	\$	
Less all just credits and offsets	\$	
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 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.

92 APR 29 PM 3 58

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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 April 29, 1992.

United Mechanical Contractors, Inc.

Claimant

STATE OF OREGON, County of Klamath ss.

William D. McCabe

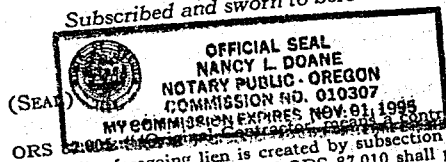
, being first duly sworn, depose

I, William D. McCabe, President of United Mechanical Contractors, 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.

Subscribed and sworn to before me this

April 29, 1992

Notary Public for Oregon. My commission expires 11-1-95



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 April 29, 1992

United Mechanical Contractors, Inc. Claimant  
By [Signature]

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." ss.

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

United Mechanical Contractors, Inc.  
William D. McCabe, President  
Lien Claimant

vs.

Mike Ellis and Kathleen Long  
DBA Mike & Kathy's Country Kitchen  
Lien Debtor

AFTER RECORDING RETURN TO



STATE OF OREGON,

County of Klamath ss.

I certify that the within instrument was received for record on the 29th day of April, 1992, at 3:58 o'clock P.M., and recorded in book/reel/volume No. M92 on page 9257 or as file/instrument/microfilm/reception No. 44229, of the Construction Lien Book of said County. Witness my hand and seal of County affixed.

Evelyn Biehn, County Clerk  
NAME TITLE

By Pauline M. Matheson, Deputy

Fee \$10.00  
cc's 3.00

10108

84015

## BARGAIN AND SALE DEED

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KNOW ALL MEN BY THESE PRESENTS, That RUTH VOORHEES, a single woman, hereinafter called grantor, for the consideration hereinafter stated, does hereby GRANT, BARGAIN, SELL and CONVEY unto WARREN M. POOLE and MARIAN FAYE POOLE, husband and wife, AS EQUAL TENANTS IN COMMON, hereinafter called grantees, and unto grantees' heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of KLAMATH, State of OREGON, described as follows, to-wit:

All of Lots One (1) through Seven (7), inclusive, FEHLEN'S SHOPPING CENTER LOTS, a subdivision in Klamath County, Oregon.

SAVE and EXCEPT the following-described portion of Lots Six (6) and Seven (7):

Beginning at the most southerly corner of Lot 6; thence North 39°36' West along the southwesterly line of said Lot 6, 27.64 feet; thence North 57°04'25" East 271.85 feet to a point on the northeasterly line of said Lot 7; thence South 39°36' East along the northeasterly line of said Lot 7, 46.04 feet to the most easterly corner of said Lot 7; thence South 50°24' West along the southeasterly line of said Lot 7, 270.0 feet to the point of beginning, all within said "Fehlen Shopping Center Lots".

TO HAVE and TO HOLD the same unto the said grantees, AS EQUAL TENANTS IN COMMON, and grantees' heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of Dollars, is \$ - 0 - .

WITNESS grantor's hand this 26 day of November, 1973.

*Ruth Voorhees*  
Ruth Voorhees

STATE OF OREGON )  
County of Marion ) ss.:

On this 26 day of November, 1973, personally appeared the within named RUTH VOORHEES, a single woman, and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

*Kenneth Sherman*  
Notary Public for Oregon  
My Commission Expires: 7/30/74.

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of DEARMOND, SHERMAN & BARRER

this 5th day of DECEMBER A.D., 19 73 at 11:47 o'clock A. M., and duly recorded in Vol. M. 73 of DEEDS on Page 15720.

WM. D. MILNE, County Clerk

DEARMOND, SHERMAN & BARRER  
ATTORNEYS AT LAW  
681 Court Street N.E.  
Salem, Oregon

Box 2247

1. Bargain and Sale Deed  
Voorhees/Poole

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of \_\_\_\_\_  
of June A.D., 19 92 at 2:05 o'clock P. M., and duly recorded in Vol. M92  
of Construction Liens on Page 12840

FEE \$15.00

Evelyn Biehn - County Clerk  
By *Pauline Mullender*