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

50322

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KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, did on MAY - 28, 1992, enter into a contract for the performance of labor, transporting or furnishing materials to be used in or renting equipment used in the construction of an improvement known as SHOP BUILDING & STONE VENEER.

The improvement is situated upon certain land in the County of Klamath Falls, State of Oregon, (which is the site of the improvement), described as follows: A Non-Exclusive Easement Over and Across the Following: A Strip of Land 30 Feet wide, Situate in Section 18, Township 41 South, Range 8 East of Williamette Meridian in Klamath County, Oregon, And in Sections 18 & 19, T. 41 N., R. 1 E., M.D.M. in Siskiyou County Calif., being 15 Feet on each side of the following described centerline, the bearings & lengths of which are based on a survey by Julian M. Agee, dated July 1, 1965 beginning at a point in Sec 18, T. 41 S., R. 8 E. M.D.M., from which point the Northwest corner of said Section 18, bears N. 46° 07' 35" W. 2872.9 Feet distant, thence S 56° 26' E. 1163.9 Feet S 73° 57' E. 377.3 Feet S 44° 03' E. 198.6 Feet S 84° 51' E. 472.1 Feet, S 57° 03' E. 513.9 Feet 346.1 Feet, S 19° 45' E. 485.6 Feet, S 40° 51' E. 408.8 Feet and S 89° 32' E. 356.0 Feet, more or less, to a point on

The address of the improvement, if known, (if unknown, so state) is UNKNOWN

The name of the owner or reputed owner of the land is John Kocyla

The name of the owner or reputed owner of the improvement is John Kocyla

The name of the person who employed claimant to furnish the labor, materials, and/or equipment, and to perform the contract is John Kocyla

The person(s) just named, at all times herein mentioned, had knowledge of the construction.

Claimant commenced performance of the contract on MAY 28, 1992, provided and furnished all labor, materials and equipment required by the contract and actually used in the construction of the improvement and fully completed the contract on JUNE 27, 1992, after which claimant ceased to provide labor, materials and/or equipment for the improvement.

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

Contract price

This price includes materials and supplies in the amount of \$ 28,961.11 \$ 106,571.00

and the reasonable rental value of equipment which is \$ 0

If no contract price, the reasonable value of claimant's labor, materials and equipment is:

Labor

Materials

Equipment

Other (specify)

Recording fees

Total

Less all just credits and offsets

Balance due claimant

\$ 13,961.11

\$ 15,000.00

\$ 0

\$ 0

\$ 21.50

\$ 28,982.61

\$ (15,000.00)

\$ 13,982.61

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

—OVER—

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

Lien Claimant

Owner

AFTER RECORDING RETURN TO

Robert Grabowski
7322 Reeder Rd
K. Falls Ore 97603

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON;

County of

SS.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ or as file/instrument/microfilm/reception No. _____ of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

By _____ NAME _____ TITLE _____ Deputy

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Claimant claims a lien for the amount last stated upon the improvement and upon the site, to-wit: the land upon which the improvement is constructed, together with the land that may be required for the convenient use and occupation of the improvement constructed on the 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 Sept 4, 1992

Bob Grabowski Construction

Robert Grabowski

Claimant

STATE OF OREGON, County of Klamath, ss.

I, Robert Grabowski

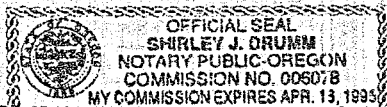
Owner/Claimant

, being first duly sworn, depose

and say: I am the claimant named in the foregoing instrument. I have knowledge of the facts therein set forth. All statements made in this instrument are true and correct as I verily believe.

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Subscribed and sworn to before me on September 4, 1992



Shirley J. Drum
Notary Public for Oregon. My commission expires April 13, 1995

ORS 87.009: "Original Contractor" is a contractor who has a contractual relationship with the owner."

The foregoing lien is created by subsection 1 of ORS 87.010. ORS 87.035 provides: "Every person claiming a lien created under ORS 87.010(1) or (2) 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." ORS 87.035 also provides 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 September 4, 1992.

Bob Grabowski Const

Claimant

By Robert Grabowski

ORS 89.039 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."*

If the improvement referred to herein is commercial, giving notice of lien may be unnecessary. See ORS 87.021(3)(b).

the Western Right-of-Way Line of a County Road, near the Southeast corner of Sec. 18, T48N, R. 1E. 100M. (DESCRIPTION CONTINUED)

Parcel 2 The SE 1/4 SW 1/4, the S 1/2 SE 1/4 of section 7, Township 41 South, Range 8 East and the N 1/2 N 1/2 of section 18, Township 41 South, Range 8 East of the Willamette Meridian Klamath County, Oregon

SEE ATTACHED SHEET

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PARCEL 1:

A non-exclusive easement over and across the following:

A strip of land 30.0 feet wide, situate in Section 18, Township 41 South, Range 8 East of the Willamette Meridian, in Klamath County, Oregon, and in Sections 18 and 19, T. 48 N., R. 1 E., M.D.M. in Siskiyou County California; being 15.0 feet on each side of the following described centerline, the bargains and lengths of which are based on a survey by Julian M. Ager, dated July 1, 1965:

Beginning at a point in Sec. 18, T. 41 S., R. 8 E.W.M., from which point the Northwest corner of said Section 18, bears N64°07'35"W 2872.9 feet distant; thence S56°26'E 1163.9 feet, S73°57'E 277.3 feet, S44°02'E 198.6 feet, S84°51'E 472.1 feet, S57°03'E 513.9 feet, S36°41'E 255.4 feet, S22°21'E 1187.6 feet, S35°34'E 346.1 feet, S17°45'E 485.0 feet, S40°51'E 408.8 feet, and S89°32'E 2566.0 feet, more or less, to a point on the Westerly right-of-way line of a County Road, near the Southeast corner of Sec. 18, T48N, R. 1 E., M.D.M.

PARCEL 2:

The SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7, Township 41 South, Range 8 and the NW $\frac{1}{4}$ of Section 18, Township 41 South, Range 8 East of the Willamette Meridian, Klamath County, Oregon.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Robert Grabowski the 4th day
of Sept. A.D., 19 92 at 4:00 o'clock P.M., and duly recorded in Vol. M92
of Construction Liens on Page 20421

Evelyn Biehn County Clerk

By

Quilene Mulvender

FEE \$15.00
cc's 6.00