

57219

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

Vol. 93 Page 2609

KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, did on October 23, 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 Black Bustee Union, 2838 South Sixth, Klamath Falls, OR 97603. The improvement is situated upon certain land in the County of Klamath, State of Oregon, (which is the site of the improvement), described as follows: (see below and on back of form)

Portion of Enterprise Tracts Lot 35 + 44 Por, Imps only

A parcel of land lying in the Northwest quarter of Section 3, Township 39 South, Range 9 East of the Willamette Meridian, in the County of Klamath, State of Oregon, being more particularly described as follows:

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The address of the improvement, if known, (if unknown, so state) is Jefferson Square Mall, 2838 South Sixth, in the above-mentioned county and state.

The name of the owner or reputed owner of the land is Offie Durwin S. + Sandra M.

The name of the owner or reputed owner of the improvement is Sally Highte (Western Bank - Loan Holder)

The name of the person who employed claimant to furnish the labor, materials, and/or equipment, and to perform the contract is VEETEX CORPORATION, 2201 Midway Road, Carrollton, TX 75006

The person(s) just named, at all times herein mentioned, had knowledge of the construction. Claimant commenced performance of the contract on November 4, 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 December 7, 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 \$ 9950.00
This price includes materials and supplies in the amount of \$ 7957.50
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 \$
Materials \$
Equipment \$
Other (specify) addition - to so plan clear to tint glass \$

Recording fees \$ 170.75

Total \$ 10.00

Less all just credits and offsets \$ 10130.75

Balance due 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 —

CLAIM OF CONSTRUCTION LIEN ORIGINAL CONTRACTOR

Lien Claimant

Owner

After recording return to (Name, Address, Zip):

BASIS GLASS + ALUMINUM
1317 EAST MAIN
KLAMATH FALLS, OR 97601

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 and/or as fee/file/instrument/microfilm/reception No. of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By Deputy.



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.

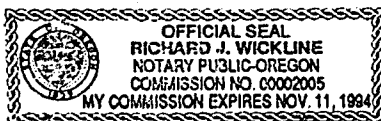
Dated February 4th, 1993

Basin Glass & Aluminum

Debra L Bingham, President Claimant

STATE OF OREGON, County of Klamath ss.

I, Debra L Bingham, President of Basin Glass & Aluminum, being first duly sworn, depose and say: I am the President of Basin Glass & Aluminum 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.



Subscribed and sworn to before me on Feb 4, 1993

Richard J. Wickline
Notary Public for Oregon. My commission expires 11-11-94

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. 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 _____ County, Oregon, on _____, 19____.

Claimant

By _____

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).

(DESCRIPTION CONTINUED)

Starting at the Northwest corner of said Section 3; thence South 00 deg. 00' 30" East along the Westerly boundary of Section 3 and the centerline of Washburn Way, 917.42 feet to the intersection with the present centerline of Sixth Street, formerly known as the Dalles-California Highway, recorded bearing South 55 deg. 52' 30" East, at Engineers Station 9+17.42 feet on Washburn Way and Engineers Station 11+14.87 feet on South boundary of Sixth Street, which is distant 40 feet at right angles Southwesterly from centerline of Sixth Street at Engineers Station 16+41.99 feet; thence South 55 deg. 52' 30" East parallel to said centerline 463.02 feet to the true point of beginning of this description; thence from said true beginning point continuing South 55 deg. 52' 30" East parallel to said centerline 793.36 feet; thence at right angles South 34 deg. 07' 30" West, 204 feet; thence South 55 deg. 52' 30" East parallel to Sixth Street 145.00; thence at right angles South 34 deg. 07' 30" West, 183.80 feet, more or less, to Northerly right of way line of the Oregon, California and Eastern Railroad; thence North 66 deg. 57' 30" West along said line 982.45 feet, more or less, to a point on the Easterly right of way line of Washburn Way which is 40.00 feet Easterly of said centerline; thence North 00 deg. 00' 30" West along said right of way line 503.39 feet; thence South 55 deg. 52' 30" East, 306.22 feet; thence North 34 deg. 07' 30" East, 160.00 feet to the true point of beginning.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Basin Glass & Aluminum the 4th day of Feb. A.D., 19 93 at 2:26 o'clock P.M., and duly recorded in Vol. M93 of Construction Liens on Page 2609.

FEE \$10.00

Evelyn Biehn, County Clerk

By Pauline Muehlbauer