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08-13-93P02:37 RCVD

Vol. mg 3 Page 20267 ①

BEST MORTGAGE, INC.

Lien Claimant

vs.

CHARLES H. WITHERS, et ux.

Lien Debtor

LOGGER'S AND WOODWORKER'S LIEN

ORS 87.222

Notice is hereby given that the undersigned (hereinafter called the "claimant") claims a lien upon trees, timber, logs, stumpage, and the products and proceeds thereof being about 1.2 million board feet more or less, obtained, handled, manufactured and/or transported in Jackson, Harney, Douglas & Klamath Counties, State of Oregon, are marked thus Best, Circle Best, and red paint and are now lying in TWP 33S, Rge 17E, Sec's 15, 16, 09 Raisley, OR; Roseburg Forest Products, Old Hwy 99S, Dillard, OR; Stone Forest Products, 7975 11th, White City, OR; Snow Mountain Pine, Ltd, Hwy 20W, Hines, OR for labor performed upon and assistance rendered. The name of the owner/agent of the owner (indicate which) of the timber and/or wood products is Charles H. Withers, at whose request the labor was performed and assistance rendered. The following is a description of the labor so performed and assistance rendered: Estimating, engineering, planning, obtaining permits, contracting and preparation and improvement of property for logging; preparation and improvement of property for logging; falling, bucking, skidding, decking, hauling and delivering timber—log—manufacturing—handling—transporting timbers or wood products. The close of the furnishing of the labor/assistance was July 12, 1993. 60 days have not elapsed since that date.

The following is a true statement of claimant's demand for which this lien is claimed:

Contract price includes estimated consequential damages \$ 930,000.00

If no contract price, the reasonable value of the labor and assistance is:

Labor \$

Assistance

Use of machinery and equipment \$

Use of livestock \$

Other (Specify) \$

Recording fees \$ 50.00 (est)

Total \$

Less all credits and offsets (\$ 64,199.00)

Balance unpaid and for which this lien is claimed \$ 865,851.00

— OVER —

### NOTICE OF LIEN LOGGER'S AND WOODWORKER'S

Best Mortgage, Inc.

Lien Claimant,

Charles H. Withers, et ux.

Lien Debtor.

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

Best Mortgage, Inc.

400 East Evergreen

Suite 104

Vancouver, WA 98660

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. \_\_\_\_\_ in the Record of Index of Liens upon Chattels of said County.

Witness my hand and seal of County affixed.

Recording Officer

By \_\_\_\_\_, Deputy

SPACE RESERVED  
FOR  
RECORDER'S USE

20268

The sum so claimed is a true and bona fide existing debt as of the date of the filing of this notice of claim of lien. The date on which payment was due claimant for the labor and assistance is July 12, 1993.

The terms of extended payment (if any) are: \_\_\_\_\_

DATED: August 10, 1993

Best Mortgage, Inc.

By: Robert Briggs  
Its Vice President

Claimant

STATE OF OREGON,

County of Multnomah

ss.

I, Best Mortgage, Inc. through its Vice President Robert Briggs, the claimant named in the foregoing notice of claim of lien, being first duly sworn, say that I know the contents thereof and that the statements and claims made therein are in all respects correct and true, as I verily believe.

Subscribed and sworn to before me this 10th day of August, 1993



OFFICIAL SEAL  
KATHLEEN M. KAKESAKO  
NOTARY PUBLIC - OREGON  
COMMISSION NO. 005484  
MY COMMISSION EXPIRES MAR. 18, 1995

Notary Public for Oregon. 3-18-95

The foregoing lien is authorized by ORS 87.222(1). ORS 87.242 provides, in part:  
"(1) A person claiming a lien created by ORS 87.216, 87.222 or 87.232 shall file a written notice of claim of lien with the recording officer of the county in which the lien debtor resides, or, if the lien debtor is a business, the county in which the lien debtor has its principal place of business, not later than 60 days after the close of the furnishing of the labor, services or materials."

ORS 87.246(1) provides:

"Except for a notice of a claim for a lien created by ORS 87.226, the recording officer of a county shall record the notices filed under ORS 87.242 in a book kept for that purpose and called 'index of liens upon chattels.'"

ORS 87.252 provides:

"(1) When a lien claimant files a notice of claim of lien as required by ORS 87.242, the lien claimant shall send forthwith a copy of the notice to the owner of the chattel to be charged with the lien by registered or certified mail sent to the owner at the owner's last-known address. (2) When a lien claimant files a notice of claim of lien as required by ORS 87.242, the lien claimant shall send a copy of the notice to all holders of security interests in the chattel to be charged with the lien who duly perfected such security interests by filing notice thereof with the Secretary of State. The notice shall be mailed to holders of perfected security interests within 20 days after the date of filing. (3) No costs, disbursements or attorney fees otherwise allowable as provided by ORS 87.336 shall be allowed to any party failing to comply with subsections (1) and (2) of this section."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Martin Moore the 13th day of Aug. A.D., 19 93 at 2:37 o'clock P.M., and duly recorded in Vol. M93 of Lien Upon Chattels on Page 20267.

FEE \$10.00

Evelyn Biehn County Clerk  
By [Signature]