

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

Vol. m93 Page 29152

70796

**KNOW ALL MEN BY THESE PRESENTS:** The undersigned, hereinafter called the claimant, did on 8th July, 1993, 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 3918 Highway 39, Klamath Falls, Oregon 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:

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The address of the improvement, if known, (if unknown, so state) is 3918 Highway 39, Klamath Falls, Oregon in the above-mentioned county and state.

The name of the owner or reputed owner of the land is Anita O'Brien

The name of the owner or reputed owner of the improvement is Anita O'Brien  
2364 Newton Street, Philomath 97370

The name of the person who employed claimant to furnish the labor, materials, and/or equipment, and to perform the contract is C.E. (Cliff) Kahl General Construction

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

Claimant commenced performance of the contract on 8th July, 1993, 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 31 August, 1993, 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 ..... \$ N/A

This price includes materials and supplies in the amount of \$ N/A  
and the reasonable rental value of equipment which is \$ N/A

If no contract price, the reasonable value of claimant's labor, materials and equipment is: \$ 747.84

Labor ..... \$ N/A

Materials ..... \$ N/A

Equipment ..... \$ 2,285.20

Other (specify) Interist @ 1.5% Per Month Aug Sep Oct ..... \$ 3,171.57

Recording fees ..... \$ 13.00

Total ..... \$ 3,184.57

Less all just credits and offsets ..... (\$ 200.00)

Balance due claimant ..... \$ 2,984.57

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)

2141A-C Construction, Inc.

**Lien Claimant**

Anita O'Brien

**Owner**

AFTER RECORDING RETURN TO

6303 WASHBURN WAY  
KLAMATH FALLS, OR 97601

**STATE OF OREGON,**

County of       

I certify that the within instrument was received for record on the day of       , 1993, 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.

NAME        TITLE         
By        Deputy



29153

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 4 November, 1993

*[Signature]*  
FRANK A. MORELLO  
A-C Construction, Inc.

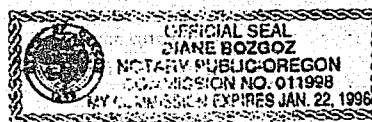
Claimant

STATE OF OREGON, County of Klamath ss.

I, Frank A. Morello

, being first duly sworn, depose

and say: I am the Project Manager for A-C Construction, Inc. 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 November 4, 1993.

*[Signature]*  
Diane Bozgor

Notary Public for Oregon. My commission expires 1-22-96

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 Klamath County, Oregon, on 4 November, 1993.

A-C Construction, Inc.

Claimant

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).

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of A-C Construction Inc. the 4th day of Nov. A.D., 1993 at 10:42 o'clock A.M., and duly recorded in Vol. M93 of Construction Liens on Page 29152

Evelyn Biehn County Clerk

By *[Signature]*

FEE \$10.00  
cc;s 3.00