

OO If Claimant is an original contractor, use S-N Form No. 1161.

2325

06-30-95P03:48 RCVD Vol 1795 Page 17264

**KNOW ALL MEN BY THESE PRESENTS:** The undersigned, hereinafter called the claimant, has performed labor, transported or furnished materials and/or rented equipment under a contract between claimant and Brian's Sewer & Septic Service who was the ☐ original contractor, ☐ subcontractor, ☐ construction agent ☒ or other person (indicate which) having charge of the construction of that certain improvement known as 10211 Old Fort Road, Klamath Falls, OR 97601 situated upon certain land in the County of Klamath, State of Oregon, which is the site of said improvement, described as follows:

The address of said improvement, if known (if unknown, so state) is 10211 Old Fort Road in the City of Klamath Falls, in said county and state.

The name of the owner or reputed owner of said land is Dennis W. Drake and Gayle Anne Drake, who at all times herein mentioned had knowledge of the construction of said improvement.

The name of the person by whom claimant was employed or to whom materials were furnished and for whom labor was performed and/or equipment rented is Dennis W. Drake.

Claimant commenced performance of said contract on April 17, 1995, 19, and completed the same on April 17, 1995, after which claimant ceased to provide labor, transport or furnish materials and/or rent equipment.

NOTICE OF RIGHT TO LIEN: The claimant hereby gives notice that this lien covers only those materials and that labor provided after a date which is eight days not including Saturdays, Sundays and other Holidays, as defined in ORS 187.010, before said Notice of Right to Lien was delivered or mailed.

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

The reasonable value of claimant's labor, materials and equipment is:

Labor Pump, Septic Tank & mileage	\$ 561.80
Materials	\$
Equipment	\$
Forms, postage and misc	\$ 25.00
Recording fees	\$ 11.50
Total	\$ 598.30
Less all just credits and offsets Ck# 3872	\$ (256.80)
Balance due claimant	\$ 341.50

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 said 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 June 30, 1995

Dorothy J. Littleton  
Dorothy J. Littleton, Co-owner  
Brian's Sewer & Septic Service

Claimant

STATE OF OREGON, County of KLAMATH ss.I, DOROTHY J. LITTLETON

, being first duly sworn, depose

and say: I am the CO. OWNER OF BRIAN'S Sewer & Septic Service  
 claimant named in the foregoing instrument. I have knowledge of the facts therein set forth. All statements made in  
 said instrument are true and correct as I verily believe.

Subscribed and sworn to before me this 30th day of JUNE, 1995.

Ann Cook  
 Notary Public for Oregon. My commission expires 1-04-98.

(SEAL)

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. Section 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 \_\_\_\_\_ County, Oregon, on \_\_\_\_\_, 19\_\_\_\_.

Claimant

By \_\_\_\_\_

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." \*\*\*

**CLAIM OF  
 CONSTRUCTION LIEN  
 OTHER THAN ORIGINAL CONTRACTOR**  
 (Form No. 1162)

Brian & Dorothy Littleton  
 DBA: Brian's Sewer & Septic Service  
 Lien Claimant

Dennis W. & Gayle Anne Drake  
10211 Old Fort Road  
Klamath Falls, OR 97601 Owner

AFTER RECORDING RETURN TO  
 BRIAN'S Sewer & Septic Service  
 2252 Vine Avenue  
 Klamath Falls, OR 97601

SPACE RESERVED  
 FOR  
 RECORDER'S USE

STATE OF OREGON,

County of Klamath } ss.

I certify that the within instrument was received for record on the 30th day of June, 1995, at 3:48 o'clock P. M., and recorded in book/reel/volume No. M95 on page 17264 or as file/instrument/microfilm/reception No. 2325, of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Bernetha G. Letsch, Co Clerk

NAME Annette Mueller TITLE Deputy

By

\$10.00/cc\$1.50