

OL

11-13-95A09:27 RCVD

Vol. 1795 Page 30740

8320

POSSESSORY LIEN STATEMENT OF ACCOUNT

Reference is made to the attached copy of the published or posted notice of claim of lien (the total amount of said claim being \$ 13,197.04) and the notice of public foreclosure sale of certain chattels described in said notice. You are notified that said sale took place at the time and place stated in said notice.

The total amount received for said chattels at said foreclosure sale was \$ 17,400.00
 The expenses of said sale (to-wit: the cost of foreclosing said lien) were \$ 4,434.60
 Net proceeds of said sale \$ 12,965.40
 Applied to the discharge of said lien \$ 12,965.40
 Remaining balance, if any, of the proceeds of said sale** \$ -0-

Dated: November, 1995

Donna M. Shuck
 Klamath Humane Society

Claimant

STATE OF OREGON, County of Klamath

)ss.

I, Donna M. Shuck, being first duly sworn, depose and say that I am
treasurer, *the claimant named above, that I know the contents
 of the foregoing instrument and that the statements therein made are true, as I verily believe.



described and subscribed before me this 3 day of November, 1995

NOTARY PUBLIC - OREGON
 COMMISSION NO. 035724

Dani Burrell

(SEAL) COMMISSION EXPIRES 7/27/1998 Notary Public for Oregon. My commission expires 6/26, 1998.

*Attorney for, Agent for, secretary of etc., or if an individual, leave blank.

**ORS 87.206 provides: After the payment of expenses and the discharge of the lien, any amount remaining shall be paid by the lien claimant to the treasurer of the county in which the foreclosure sale is made. (This form may be used for that purposes, whether or not a Statement of Account must be recorded under the provisions of ORS 87.202)

To the Treasurer of County, Oregon:

The said remaining balance is herewith paid to you pursuant to the provisions of ORS 87.206.

NOTE: Possessory liens are authorized by ORS 87.152 to 87.162; ORS 87.202 provides in part:

- (1) A person who forecloses a lien created by ORS 87.152 to 87.162 by sale shall file a statement of account verified by his oath with the recording officer of the county in which the sale took place when:
- (a) The chattel sold at the foreclosure sale has a fair market value of \$250 or more;
- (b) The chattel sold at the foreclosure sale is an animal bearing a brand or other mark recorded with the State Department of Agriculture under ORS chapter 604.
- (3) A person filing a statement of account under this section shall send a copy of the statement to the owner of the chattel sold at the foreclosure sale by registered or certified mail sent to him at his last-known address. If the chattel sold at a foreclosure sale is an animal bearing a brand or other mark recorded with the State Department of Agriculture under ORS chapter 604, a person filing a statement of account under this section shall send a copy of the statement to the State Department of Agriculture.

POSSESSORY LIEN STATEMENT OF ACCOUNT

Klamath Humane Society

Lien Claimant

Dorothy Robertson

Lien Debtor

AFTER RECORDING RETURN TO

PARKS & RATLIFF
 228 N. 7th STREET
 KLAMATH FALLS, OR 97601

SPACE RESERVED
 FOR
 RECORDER'S USE

STATE OF OREGON

)ss.

County of

I certify that the within instrument was filed in my office on the day of, 19....., at o'clock M., and recorded in book/reel/volume at page or as fee/file/instrument/microfilm/reception No. Record of of said County.

Witness my hand and seal of County affixed.

By Title
 Deputy.

15.00
 CK

30741



KLAMATH COUNTY HUMANE SOCIETY,

Lien Claimant

vs.
DOROTHY G. ROBERTSON

Lien Debtor

CLAIM OF POSSESSORY LIEN

NOTICE OF FORECLOSURE SALE

(Where possession has not been surrendered.)
(Applicable for Labor, Materials and Services Only.)

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned, Klamath County Humane Society hereinafter called the claimant, pursuant to the provisions of ORS 87.152 and 87.166 through 87.206, inclusive, claims and has a possessory lien upon articles of personal property particularly described as follows, to-wit: Black Arabian stallion, Grey Arabian stallion, Sorrell & white yearling colt, Chestnut yearling colt, Sorrell Yearling colt, Sorrell yearling filly, Buckskin & white 2 yer old filly, Sorrell & white 2 year old filly, Sorrell mare, Bay mare, Black bay mare, Chestnut mare, Dun Weanling colt hereinafter called chattels, for the following charges for services provided, materials supplied and labor performed to the said lien debtor in making, altering, repairing, transporting, pasturing or caring for said chattels at the request of the owner or lawful possessor thereof.

2. The actual or reputed owner, hereafter called lien debtor, is Dorothy G. Robertson, whose address is 7315 Homedale Road, Klamath Falls, OR 97603 (if lien debtor is a corporation, the address should be c/o the registered agent at the registered office, as shown by the records of the Corporation Division, Secretary of the State of Oregon. The person requesting said services, materials and labor, if other than the owner, was Klamath County Sheriff's Office, whose address is 808 S. 5th Street, Klamath Falls, OR 97601; pursuant to ORS 87.159 and ORS 167.345

3. (a) The agreed/reasonable [strike one] charge for claimant's services, materials and labor is \$ 11,640.15
- (b) In addition, claimant has incurred expenses in storing said chattels prior to foreclosure and that a reasonable fee for said storage is the sum of \$
- (c) No part of said charges have been paid except the sum of \$ ()
- (d) The total amount of claimant's lien claim is (a + b - c) \$ 11,640.15

*per attached Exhibit "A"

4. Claimant obtained possession of said chattels in Klamath County, Oregon.

5. The date the lien attached to the chattels is January 31, 19 95, which is when the services or labor were fully performed and the materials were fully furnished and the charges therefore were due and the lien debtor either knew or should reasonably have known that the charges were due. Since said date, possession of said chattels has been and is now retained by claimant.

NOTICE IS HEREBY GIVEN to said lien debtor and to whom it may concern that on * October 19, 19 95, claimant will proceed to sell the above described chattels at public auction to the highest bidder for cash, in Klamath County, Oregon, where claimant obtained possession thereof, at the following place in said county, to-wit: Klamath County Humane Society, 500 Miller Island Road, City of Klamath Falls, State of Oregon, at the hour of 10:00 o'clock A.M. The name of the person foreclosing the lien is Michael Ratliff, Attorney at Law, 228 N. 7th Street, Klamath Falls, OR 97601. All of the above information is incorporated into the Notice of Sale by reference.

6. At the conclusion of said foreclosure sale, claimant will apply the proceeds of said sale: first, to the payment of the expenses of the sale; second, to the discharge of claimant's said lien; and third, the balance, if any, will be paid to the county treasurer of the county in which said foreclosure sale is made, to be disposed of by said county treasurer as directed by law.

*ORS 87.172 provides that a person claiming a lien must retain the chattel that is subject to the lien for at least 60 days after the lien attaches (the date stated in, par. 5 above) before foreclosing the lien. The words "foreclosing the lien" refers to the date of sale; therefore, the sale date entered between the * should be at least 60 days after the date in par. 5; unless the chattel is an animal, in which case the interval must be at least 30 days, or if the animal is a dog or cat, at least 15 days.

EXHIBIT "A"

Costs for care of the following horses for
January 31 thru September 15, 1995:

Black Arabian stallion, Gray Arabian stallion, Chestnut Arabian stallion, Sorrel & white yearling colt, Chestnut yearling colt, Sorrel yearling colt, Sorrel yearling filly, Buckskin & white 2 year old filly, Sorrel & white 2 year old filly, Sorrel mare, Bay mare, Black bay mare, Chestnut mare, Dun Weanling colt.

Balance forward - Jan. 31-June 15
(claim and possessory lien)

Vet.....	\$935.75
Feed.....	768.39
Supplies & other.....	113.44
Stall rent.....	714.00
Labor.....	4,404.60
Farrier.....	<u>245.00</u>

Subtotal.....7,181.18..... \$7,181.18

June 16 thru August 14

Farrier.....	\$49.00
Hay.....	451.36
Vet.....	498.00
Supplies & other.....	78.23
Oats.....	163.14
Film processing.....	18.91
Mileage.....	11.10
Labor.....	<u>1,925.14</u>

Subtotal.....3,194.88..... \$3,194.88

August 15 thru September 15

Hay.....	540.00
Labor.....	<u>724.09</u>

Subtotal.....1,264.09..... \$1,264.09

Total care of above-listed horses..... \$11,640.15

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Parks & Ratliff the 13th day
of November A.D., 19 95 at 9:27 o'clock A M., and duly recorded in Vol. M95
of Liens Upon Chattels on Page 30740.

FEE \$15.00

By Bernetha G. Letsch, County Clerk
Annette Muelles