

9565

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

**KNOW ALL MEN BY THESE PRESENTS:** The undersigned, hereinafter called the claimant, did on August 3, 1995, enter a contract for the performance of labor, transporting or furnishing materials to be used in or renting equipment used in the construction of said improvement known as two wells.  
 said improvement is situated upon certain land in the County of Klamath, State of Oregon, (which is the site of said improvement), described as follows:

See attached Exhibit "A"

The address of said land, if known, is (if unknown, so state) 7315 Homedale Road, Klamath Falls, Oregon 97603

The name of the owner or reputed owner of said land is Jerry F. Nelson & Aileen Nelson h/w in said county and state.  
 the name of the owner or reputed owner of said improvement is Jerry F. Nelson & Aileen Nelson h/w  
 the name of the person who employed claimant to furnish said labor, materials, and/or equipment, and to perform said contract is Jerry F. Nelson  
 the person(s) just named, at all times herein mentioned, had knowledge of the construction of said improvement.

Claimant commenced his performance of said contract on August 3, 1995, provided and furnished all labor, materials and equipment required by said contract and actually used in the construction of said improvement and fully completed his said contract on September 11, 1995, after which he ceased to provide labor, materials or equipment for said improvement.

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

Contract price ..... \$ 6,188.50

Said price includes materials and supplies in the amount of ..... \$ 772.50

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 ..... \$ 5,266.00

Materials ..... \$ 772.50

Equipment ..... \$ -0-

Start Card Fees ..... \$ 150.00

Recording fees ..... \$ 15.00

Total ..... \$ 6,203.50

Less all just credits and offsets ..... \$ -0-

Balance due claimant ..... \$ 6,203.50

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 the said site, to be determined by the court at the time of the foreclosure of this lien.

for the time and place of recording to make this lien a valid claim, see quotation from ORS 87.035 on next page.

—OVER—

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In construing this instrument, the masculine pronoun means and includes the feminine and the neuter, and the singular includes the plural, as the circumstances may require.

Dated November 22, 1995

NORM SEVEY WELL DRILLING INC.

By: Norm Sevey Pres.  
Claimant

STATE OF OREGON, County of Klamath ss.

I, Norm Sevey

, being first duly sworn, depose

and say: that I am the president of Norm Sevey Well Drilling Inc.,  
claimant named in the foregoing instrument; that I have knowledge of the facts therein set forth; that all statements made in said instrument are true and correct as I verily believe.

Norm Sevey Pres.  
Norm Sevey November 22, 1995

Subscribed and sworn to before me this



Kristin A. Bienz  
Notary Public for Oregon. My commission expires 11.15.95

ORS 87.005. "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  
ORIGINAL CONTRACTOR**  
(Form No. 1161)

Norm Sevey Well  
Drilling Inc.

Lien Claimant

vs.

Jerry F. Nelson and  
Aileen Nelson, h/w

Lien Debtor

AFTER RECORDING RETURN TO  
Donald R. Crane  
Attorney at Law  
635 Main Street  
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 \_\_\_\_\_ or as file/instrument/microfilm/reception No. \_\_\_\_\_ of the Construction Lien Book of said County. Witness my hand and seal of County affixed.

By \_\_\_\_\_ TITLE \_\_\_\_\_ Deputy

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

The SE1/4 NE1/4 and NE1/4 SE1/4 of Section 23, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, lying Southerly of the Great Northern Railroad right of way.

SAVING AND EXCEPTING the following portion in the NE1/4 SE1/4 as follows:

Beginning at the Southwest corner of the NE1/4 SE1/4 of Section 23, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, which point of beginning is marked by the intersection of old fence lines with the center line of the Homedale-Dixon County Road; thence North along the centerline of said county road a distance of 145 feet; thence North 89 degrees 47' East along a line parallel to and 145 feet distant from the South line of the NE1/4 SE1/4 of said Section 23 a distance of 300 feet; thence South 145 feet, more or less, to the South line of said NE1/4 SE1/4; thence South 89 degrees 47' West along said South line a distance of 300 feet, more or less, to the point of beginning. ALSO SAVING AND EXCEPTING those portions deeded to Great Northern Railway Company in Volume 95, page 479 and Volume 97, page 85, all Deed Records of Klamath County, Oregon.

TOGETHER WITH a 1978 RIDGECREST Mobile Home, Oregon License #X154826, Serial #09L12431XU which is situate on the real property described above.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Norm Sevey Well Drilling the 24th day  
of November A.D., 19 95 at 11:23 o'clock A M., and duly recorded in Vol. M95,  
of Construction Liens on Page 32148.

FEE \$15.00

By Bernetha G. Letsch, County Clerk  
Annette Mueller