

NLT If claimant is an original contractor, use S-N Form No. 1161.

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10945

**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 Shilo Inns who was the ☐ original contractor, ☐ subcontractor, ☐ construction agent ☒ or other person (indicate which) having charge of the construction of that certain improvement known as Shilo Inns, Klamath Falls, OR situated upon certain land in the County of Klamath State of Oregon, which is the site of the improvement, described as follows:

Campus View Block 4, Lot 3, Adjacent vacated Almond St.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The address of the improvement, if known, (if unknown, so state) is 2500 Almond St. in the above-mentioned county and state. Klamath Falls, OR 97603

The name of the owner or reputed owner of the land is Mark S. Hemstreet DBA: Shilo Inns

The name of the owner or reputed owner of the improvement is Mark S. Hemstreet, DBA: Shilo Inns

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 Mountain Pacific

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

Claimant commenced performance of the contract on October 12, 1995, and completed the same on October 23, 1995, after which claimant ceased to provide labor, transport or furnish materials and/or rent equipment.

A Notice of the Right to a Lien in the form required by ORS 87.023 was delivered in person or delivered by registered or certified mail to the owner on December 21, 1995. This lien covers only those materials, equipment, and labor provided after a date which is eight days, not including Saturdays, Sundays and other holidays, as defined in ORS 187.010, before the Notice of the Right to a 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	\$	
Materials	\$	2,548.95
Equipment JD 210 landscaper, JD grader	\$	975.00
Other (specify) Excavator	\$	10.00
Recording fees	\$	3,523.95
Total	\$	3,523.95
Less all just credits and offsets	\$	0
Balance due claimant	\$	3,523.95

\* A Notice of the Right to a Lien is not required to perfect a lien upon commercial property or commercial improvements. See ORS 87.021(3)(b). 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  
OTHER THAN ORIGINAL CONTRACTOR**  
(Form No. 1162)

Lien Claimant

Owner

AFTER RECORDING RETURN TO

Bullet Rentals  
5854 S. 6th Street  
Klamath Falls, OR  
97603

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON,

County of

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.

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

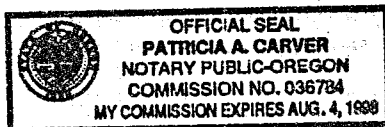


Claimant claims a lien for the amount last stated upon the improvement and upon the site, to-wit: the land upon which the improvement is constructed, together with the land that may be required for the convenient use and occupation of the improvement constructed on the site, to be determined by the court at the time of the foreclosure of this lien.

In construing this instrument, the singular pronoun includes the plural, as the circumstances require.

Dated December 21, 1995 Bullet Rental & Sales Inc  
James J. Bellet Claimant

STATE OF OREGON, County of Klamath ss.  
 I, James J. Bellet, being first duly sworn, depose and say: I am the President of Bullet Rental & Sales, 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 December 21, 1995

Patricia A. Carver  
 Notary Public for Oregon. My commission expires Aug. 4, 1998

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 12-22, 1995.

Bullet Rental & Sales, Inc.  
 By James J. Bellet 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 James J. Bellet the 22nd day  
 of Dec A.D., 19 95 at 1:23 o'clock P M., and duly recorded in Vol. M95  
 of Construction Liens on Page 34871

By Bernetha G. Letsch, County Clerk

FEE \$10.00  
 copy 1.00