

17098

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KNOW ALL MEN BY THESE PRESENTS: The undersigned, hereinafter called the claimant, did on _____, 19____, 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 _____
SHILO INN - SUITE HOTEL, KLAMATH FALLS, OR.
 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:

CAMPUS VIEW, BLOCK 4, LOT 3 AND ADJACENT VACATED ALMOND STREET.

The address of said land, if known, is (if unknown, so state) 2500 ALMOND STREET, KLAMATH FALLS, KLAMATH COUNTY, OREGON

The name of the owner or reputed owner of said land is MARK S. HEMSTREET aka SHILO INNS, in said county and state.
 the name of the owner or reputed owner of said improvement is MARK S. HEM STREET aka SHILO INNS;
 the name of the person who employed claimant to furnish said labor, materials, and/or equipment, and to perform said contract is MARK S. HEMSTREET aka SHILO INNS;

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 APRIL 11, 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 APRIL 29, 1996, 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	\$ 459,201.85
Said price includes materials and supplies in the amount of	\$ 132,760.00
and the reasonable rental value of equipment which is	\$ 5,040.00
If no contract price, the reasonable value of claimant's labor, materials and equipment is:	
Labor	\$
Materials	\$
Equipment	\$
Recording fees	\$
Total	\$ 11.50
Less all just credits and offsets	\$ 459,213.35
Balance due claimant	\$ 268,970.65
	\$ 190,242.70

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—

1850 cash

11873

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 APRIL 29, 1996

WINEMA ELECTRIC, INC.

B.W. YAHN, STORE MANAGER
Claimant

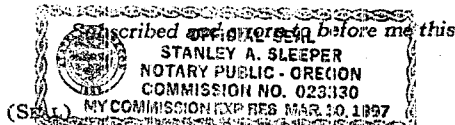
STATE OF OREGON, County of KLAMATH ss.

I, GEORGE W. YAHN, being first duly sworn, depose

and say: that I am the AUTHORIZED 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.

WINEMA ELECTRIC, INC.

by George W. Yahn



Subscribed and sworn to before me this 29 day of April, 1996.

Stanley A. Sleeper

Notary Public for Oregon. My commission expires 3/30/97

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
ORIGINAL CONTRACTOR**
(Form No. 1151)

WINEMA ELECTRIC, INC.
735 COMMERCIAL ST. SE.
KLAMATH FALLS, OR Lien Claimant

VS.

MARK S. HEM STREET dba SHILO TANS
11600 S.W. BARNE'S RD.
PORTLAND, OR, 97225 Lien Debtor

AFTER RECORDING RETURN TO

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 29th day of April, 1996., at 10:54 o'clock AM, and recorded in book/reel/volume No. M96 on page 11872 or as file/instrument/microfilm/reception No. 17098, of the Construction Lien Book of said County.

Witness my hand and seal of County affixed.

Bernetha G Letsch, County Clerk

NAME

TITLE

By Cathy Hoskins Deputy

Fee \$10.00

1-50