

ON 26352

'96 OCT -7 P1:22

Vol. 196 Page 31775



IRENE GUTIERREZ

AND-OR- Bill W. BRUCE

Lien Claimant

vs.

MELVIN H. Qualls

Lien Debtor

**WAREHOUSEMAN'S CLAIM OF
POSSESSORY LIEN**

NOTICE OF FORECLOSURE SALE

(Where possession has not been surrendered.)

NOTICE HEREBY IS GIVEN THAT:

1. Irene Gutierrez and-or- Bill W. BRUCE, hereinafter called the claimant, pursuant to the provisions of ORS 87.152, claims and has a possessory lien upon the following described articles of personal property, hereinafter called chattels, 2 units of lumber which are 1x6-1x16 AND SAME 1x1's. They were placed in our property on August - 10-1994 and as of to-day Wednesday-13-1994, are still on our property. for claimant's just and reasonable charges for storage which claimant has furnished in storing said chattels at the request of and for the owner or lawful possessor thereof, hereinafter called the lien debtor.

2. At the time said request was made, the name of the lawful possessor of said chattels was Melvin H. Qualls whose last known address on the date hereof is 3822 LATROBE ST. LOS ANGELES, CA. 90031; at said time the name of the owner or reputed owner of said chattels was Melvin H. Qualls and; if an individual, the owner's or reputed owner's last known address on the date hereof is 3822 LATROBE ST. LOS ANGELES, CA. 90031; however, if said owner or reputed owner is a corporation, the name of its registered agent and the address of its registered office as of the date of this notice as shown by the records of the Corporation Commissioner of the State of Oregon is:

(Name of corporation's registered agent)

(Address of corporation's registered office)

3. Said chattels were left with claimant to be stored in Klamath County, Oregon on August 10th, 1994, which was the date on which claimant obtained possession thereof; claimant has continuously furnished storage for said chattels since said date and is still continuing to do so; at all times here-in mentioned, possession of said chattels has been and is now retained by claimant; more than sixty days have elapsed since claimant's lien attached to said chattels.

4. (a) The agreed charge for said storage is \$ 1.00 per DAY, a total up to the date hereof of \$ 784.00

(b) If there was no agreement relative to said charge, then \$ 1.00 per DAY is a reasonable charge for said storage, a total up to this date of \$ 784.00

(c) The amount of said lien is increasing at the rate just mentioned, dependent on the length of time here-after during which continued storage is furnished by claimant.

(d) No part of said total has been paid except the sum of \$ 0.00; the amount now due on claim-ant's lien is \$ 784.00

(e) The said lien debtor either knows or should reasonably know that the said charges are due.

1000
400

5. NOTICE HEREBY IS FURTHER GIVEN to said lien debtor and to whom it may concern that if claimant's said charges are not paid claimant will proceed on _____, 19_____, to foreclose said lien and sell said described chattels at public auction to the highest bidder for cash in _____ County, Oregon, where said chattels were left for storage and claimant obtained possession thereof, to-wit at the following place in said county: _____

_____ in the City of _____ in the State of Oregon, at the hour of _____ o'clock _____ M. standard time - daylight saving time (state which); however, no more of said chattels will be sold or offered for sale than necessary to pay the expenses of the foreclosure sale and claimant's charges due for said storage. The name of the owner or reputed owner of said chattels is _____

The amount now due on claimant's lien is \$ _____. The name of the person foreclosing said lien is _____

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 foreclosure sale is made, to be disposed of by said county treasurer as directed by law.

7. On _____, 19_____, and more than thirty days prior to the day so fixed for said foreclosure sale, claimant gave this notice by registered or certified mail to the following persons:

- (1.) To the lien debtor at lien debtor's last known address or, if lien debtor is a corporation, to its said registered agent at its said registered office.
- (2.) To all persons with a security interest in said chattels who have filed a financing statement perfecting that interest in the office of the Secretary of State of the State of Oregon and in the office of the appropriate county officer of the county in which the foreclosure sale is to be held.

Also, on the date first mentioned in this Paragraph 7, this notice was posted in a public place at or near the front door of the county courthouse of the county in which the sale is to be held and in a public place where claimant obtained possession of said chattels from the lien debtor as described in the foregoing Paragraph 5. Furthermore, if the said chattels to be sold have a fair market value of \$1000 or more claimant, in addition to the above, caused a notice of said sale to be printed for two successive weeks in a newspaper as required by ORS 87.192(3).

In construing this instrument where the context so requires, words in the singular include the plural; the masculine includes the feminine and the neuter and, generally, all changes shall be made or implied so that this instrument shall be deemed notice both to individuals and to corporations.

Dated 10-7-96 1996

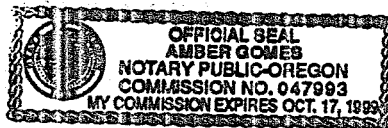
Irene Gutierrez
Claimant
By Irene Gutierrez

STATE OF OREGON
COUNTY OF KLAMATH

SUBSCRIBED AND SWORN TO BEFORE ME

THIS

7th day of October, 1996
[Signature]
NOTARY PUBLIC



Stevens-Ness Form No. 146 covers possessory liens for services, materials and/or labor and Form No. 1121 is a "Statement of Account."

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Return: Irene Gutierrez

9205 Mina Bird Dr. Bonanza, Or. 97623

Filed for record at request of Irene Gutierrez the 7th day of October A.D., 1996 at 1:22 o'clock P.M., and duly recorded in Vol. M96 of Lien Upon Chattels on Page 31775
Bernetha G. Letsch
County Clerk

FEE \$10.00

4.00 copies

By Kathleen Ross