

61204

98

JUN 30 11:25

POSSESSORY LIEN—STATEMENT OF ACCOUNT

Vol. 1198

Page 23073



Reference is made to the attached copy of the published or posted notice of claim of lien (the total amount of the claim being \$ 150.00) and the notice of public foreclosure sale of certain chattels described in the notice. You are notified that a sale took place at the time and place stated in the notice.

The total amount received for the chattels at the foreclosure sale was \$ 150.00
 The expenses of the sale (to-wit: the costs of foreclosing the lien) were (\$ 73.31)
 The net proceeds of the sale were \$ 76.69
 The amount applied to the discharge of the lien was (\$ 76.69)
 The remaining balance, if any, of the proceeds of the sale* is \$.00

Dated: June 29, 19 98

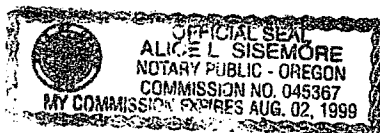
William L. Sisemore
 William L. Sisemore,

Attorney for

Claimant

STATE OF OREGON, County of Klamath) ss.

I, William L. Sisemore, being first duly sworn, depose and say that I am attorney for 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.



Subscribed and sworn to before me on June 29, 19 98

Alice L. Sisemore
 Notary Public for Oregon. My commission expires 8/2/99

*ORS 87.206 provides that, 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 purpose, whether or not a Statement of Account must be recorded under the provisions of ORS 87.202.)

To the Treasurer of Klamath County, Oregon:

The remaining balance is herewith paid to you pursuant to the provisions of ORS 87.206.
 There was no remaining balance.

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 the oath of the person 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 the person at the last-known address of the person. 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

Lorna Rozum

Lien Claimant,

vs.
 Chequita O'Neal

Lien Debtor.

After recording return to (Name, Address, Zip)
 WILLIAM L. SISEMORE
 Attorney at Law
 110 N. 6th
 Klamath Falls, OR 97601

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON, } ss.
 County of Klamath }

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 _____ and/or as fee/file/instrument/microfilm/reception No. _____, Record of Deeds of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____, Deputy

156

00

23074

Lorna Rozum

Lien Claimant

vs.

Chequita O'Neal

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, Lorna Rozum 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: two antique chairs

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 Chequita O'Neal

, whose address is 1043 Old Fort Road

Klamath Falls, OR whose address is 1045 Old Fort Road
 (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
 whose address is

3. (a) The agreed/reasonable ~~[strike one]~~ charge for claimant's services, materials and labor is \$ 150.00

(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 \$.00

(d) The total amount of claimant's lien claim is $(a + b - c)$ \$ 150.00

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

5. The date the lien attached to the chattels is April 1, 1998, 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 * June 25 19 98 * 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: 3030 Crest Street 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 Lorna Rozum

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.*

7. On May 22, 1998, 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:

a. To the lien debtor at lien debtor's last known address; or if the lien debtor is a corporation, to its said registered agent at its said registered office.

**b. 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 the State of Oregon or in the office of the appropriate county officer of the county in which the foreclosure sale is to be held.

**c. If the chattel so to be sold is one for which a certificate of title is required by the laws of this state, to all those persons whom the certificate of title indicates have a security interest in or lien upon the chattels.

8. On the date first mentioned in 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 in Klamath County, Oregon.

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

Dated May 22, 1998.

Lorna Rozum
Lorna Rozum Claimant

By _____

STATE OF OREGON,

County of Klamath } ss.

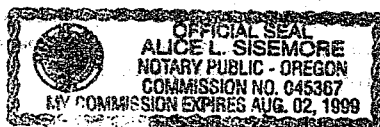
I, Lorna Rozum

the claimant named in the foregoing instrument, being first duly sworn, say that I know the contents thereof and that the statements and claims made therein are in all respects correct and true, as I verily believe.

Subscribed and sworn to before me this 22 day of May, 1998

Alice L. Sisemore

Notary Public for Oregon. My commission expires 8/2/99



**If there is a security interest in the chattel, notice to the holder of the security interest must be given not later than the 20th day after the date on which the storage charges begin; or, if no storage charges are imposed, notice to the holder of a security interest must be given not later than the 30th day after the date on which the services provided are completed.

IMPORTANT NOTICE: If the chattel has a fair market value of \$1,000 or more, the lien claimant, in addition to the notices set forth in paragraphs 7 and 8 above, shall have a notice of foreclosure sale printed once a week for two successive weeks in a newspaper as required by ORS 87.192(3). Such notice shall contain a particular description of the property to be sold, the name of the owner or reputed owner thereof, the amount due on the lien, the time and place of the sale and the name of the person foreclosing the lien.

Stevens-Ness Form No. 1120 is a warehouseman's possessory lien for storage; Form No. 1121 is a statement of account; Form No. 927 is a warehouseman's non-possessory lien for storage.

STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of William Sisemore the 30th day of June A.D., 1998 at 11:25 o'clock A M., and duly recorded in Vol. M98 of Lien Upon Chattels on Page 23073.

FEE \$15.00

By Bernetha G. Letsch, County Clerk