

NOTE: If claimant is other than original, use S-N Form No. 1161.

64034

98 JUN -6 12 06

Vol. 798 Page 28856



CLAIM OF CONSTRUCTION LIEN ORIGINAL CONTRACTOR

Leo Porter

PO Box 454

Fort Klamath, OR 97626

(Lien Claimant's Name and Address)

Dennis S. Morgan

472 Blcomfield

Burlingame, CA 94010

(Owner's Name and Address)

After recording, return to (Name, Address, Zip):

Leo Porter

PO Box 454

Fort Klamath

SPACE RESERVED
FOR
RECORDERS 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 _____ and/or as fee/file/instrument/microfilm/reception No. _____ Records of said County.

Witness my hand and seal of County affixed.

NAME

TITLE

By _____, Deputy

KNOW ALL BY THESE PRESENTS that Leo Porter, aka "Leo's Landscaping & Tree Service", hereinafter called claimant, did on May 28, 1998, enter into a contract for the performance of labor, transporting or furnishing materials to be used in or renting equipment used in the construction of an improvement known as Storm damage-trees.

The improvement is situated upon certain land in the County of Klamath, State of Oregon, which is the site of the improvement, described as follows: Vol 1196 - page 24863

A portion of the NE 1/4 of Section 21, Township 33, South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon, described as follows: Commencing at a point 200 feet South of the Northeast corner of Section 21, Township 33, South, Range 7 1/2 East of the Willamette Meridian, Klamath County, Oregon; thence West 200 feet thence South 108 feet; thence East 200 feet; thence North 108 feet to the place of beginning. said land being situate in the Town of Fort Klamath, Klamath County, Oregon, LESS portion of the above lying within the State Highway.

The address of the improvement is (if unknown, so state) unknown- known as "Old Fort Store"

The name of the owner or reputed owner of the land is _____

Dennis S. Morgan

The name of the owner or reputed owner of the improvement is _____

Dennis S. Morgan

The name of the person who employed claimant to furnish the labor, materials, and/or equipment, and to perform the contract is Dennis S. Morgan

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

Claimant commenced performance of the contract on May 28, 1998, provided and furnished all labor, materials and equipment required by the contract and actually used in the construction of the improvement, and fully completed the contract on May 31, 1998, after which claimant ceased to provide labor, transport or furnish materials and/or transport, furnish or rent equipment for the improvement.

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

Contract price, \$

This price includes materials and supplies in the amount of \$

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

Materials... paid out labor..... \$ 280.00

Equipment... truck 350, debris disposal 160..... \$ 440.00

Other (specify) contract fee 152 @ 2% per month 33.44..... \$ 510.00

Recording fees... Preparation 30, Recording 20, Notarizing 20, Certificate 60..... \$ 185.44

Total..... \$ 1750.44

Less all just credits and offsets..... (\$ 0.00)

Balance due claimant... Amount shown. Plus 10.2% per month beginning June 15, 1998..... \$ 202.54

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

(OVER)

28857



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

8/6, 1998

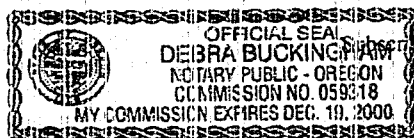
Claimant

STATE OF OREGON, County of Klamath ss.I, Leo F. Porter

, being first duly sworn, depose

and say: I am the

claimant named in the foregoing instrument. I have knowledge of the facts set forth therein. All statements made in this instrument are true and correct as I verily believe.



Subscribed and sworn to before me on

8-6

1998

Notary Public for Oregon
My commission expires

12-19-2000

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 _____ 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." ORS 87.039 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."

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 Leo Porter the 6th day
of August A.D., 19 98 at 2:16 o'clock P. M., and duly recorded in Vol. M98
of Construction Liens on Page 28856

Bernetha G. Letsch, County Clerk

By Kathleen Brown

FEE

\$10.00

4.75 c.c.