

NO If claimant is other than original, use S-N Form No. 1162, or the equivalent.

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# CLAIM OF CONSTRUCTION LIEN ORIGINAL CONTRACTOR

AFFORDABLE CONSTRUCTION # 116645

1765 WIARD ST

KIAMATH FALLS, ORE 97603

Lien Claimant's Name and Address

KEW W SCHWARTZ

1765 WIARD ST

KIAMATH FALLS, ORE 97603

Owner's Name and Address

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

KEW W SCHWARTZ

1765 WIARD ST

KIAMATH FALLS, ORE 97603

SPACE RESERVED  
FOR  
RECORDER'S USE

STATE OF OREGON,

County of \_\_\_\_\_

} ss.

I certify that the within instrument was received for record on \_\_\_\_\_, 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 KEW W SCHWARTZ/D.B.A. AFFORDABLE CONST. hereinafter called claimant, did on 12/23/98, 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 REPAIR DAMAGED WATER LINES/VALUES DAMAGE DUE TO FREEZING CONDITIONS. The improvement is situated upon certain land in the County of KIAMATH, State of Oregon, which is the site of the improvement, described as follows:

OWNER: RICHARD + MARIE CULPEPPER  
PROP ID: R337308 (REAL ESTATE) (151564) 27220 FREMONT RD  
MAP TAX LOT: R-3611-01900-01800-000 SPRAGUE RIVER, OR. 97639  
LEGAL: TRACT 1164, BLOCK 1, LOT 11 ACRES 20.14, 1/4 EM, 18722

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

The address of the improvement is (if unknown, so state) 27220 FREMONT ROAD  
SPRAGUE RIVER, OREGON 97639

The name of the owner or reputed owner of the land is MR + MRS RICHARD CULPEPPER

The name of the owner or reputed owner of the improvement is \_\_\_\_\_

The name of the person who employed claimant to furnish the labor, materials, and/or equipment, and to perform the contract is MR. RICHARD CULPEPPER

The person(s) just named, at all times herein mentioned, had knowledge of the construction. Claimant commenced performance of the contract on 12/23/98, 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 12/29/98, 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. \$ 1,300.00

This price includes materials and supplies in the amount of \$ 143.50

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 \$ \_\_\_\_\_

Equipment \$ \_\_\_\_\_

Other (specify) \$ \_\_\_\_\_

Recording fees \$ 10.25

Total \$ 800.82

Less all just credits and offsets \$ (800.82)

Balance due claimant \$ 810.00

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

(OVER)

10 1.25



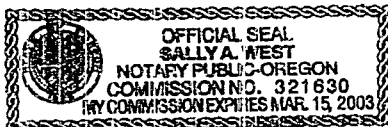
Claimant claims a lien for the amount last stated upon the improvement and upon the site, to-wit: the land upon which the improvement is constructed, together with the land that may be required for the convenient use and occupation of the improvement constructed on the site, to be determined by the court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

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

Dated 6/1/99

KEN W SCHWARTZ AFFORDABLE CONSTRUCTION Claimant

STATE OF OREGON, County of KLAMATH ss.  
I, KEN W SCHWARTZ, being first duly sworn, depose  
and say: I am the (OWNER) AFFORDABLE CONSTRUCTION  
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.



Signed and sworn to before me on June 1, 1999

Sally A. West  
Notary Public for Oregon

My commission expires Mar 15, 2003

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 6/1/99

KEN W SCHWARTZ  
Claimant

By \_\_\_\_\_

\*See ORS 87.021 to determine whether a Notice of Lien need be furnished in accordance with the terms of that statute.

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.\*\*\*"

(DESCRIPTION CONTINUED)

State of Oregon, County of Klamath

Recorded 6/01/99, at 2:51 p.m.

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Linda Smith, County Clerk

Fee \$ 10.00

Linda Smith