

OREGON

CONSTRUCTION or MECHANICS
LIEN FORMS

PACKAGE

CONTRACTOR EDITION
(sole proprietor)

Control Number: OR-P091-PKG



U.S. Legal Forms™ thanks you for your purchase of a Construction Lien Forms Package. This package is an important tool to help you with the legal issues that may arise between a contractor who performs services and/or supplies materials or equipment to a property but is not paid for the services/materials/equipment. This package includes state specific forms for a contractor operating as a sole proprietor or individual.

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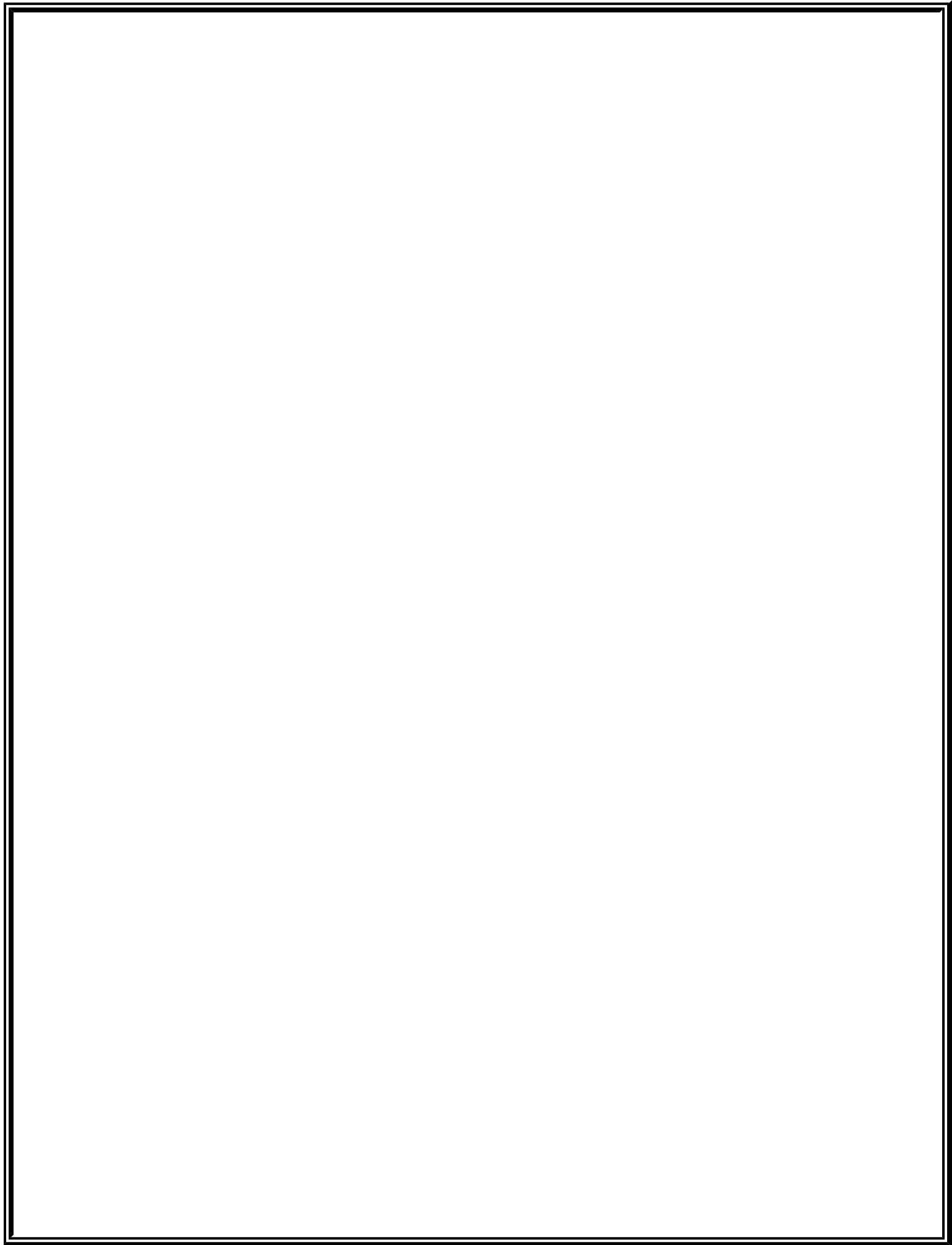
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I. FORM LIST

With your Construction Lien Package, you will find many of the forms that are necessary to protect your legal rights or claims to secure and enforce a lien on property for unpaid services and/or materials or equipment.

Included in your package are the following forms:

1. Notice of Right to Lien Sect. 87.023
2. Demand for list of Services
3. Response to Demand for List of Services
4. Claim of Lien
5. Notice of Filing of Lien Claim
6. Notice of Completion
7. Notice of Intent to Foreclose
8. List of Material and Supplies Provided
9. Statement of Contractual Basis
10. Conditional Waiver and Release of Claim of Lien Upon Progress Payment
11. Unconditional Waiver and Release of Claim of Lien Upon Progress Payment
12. Conditional Waiver and Release of Claim of Lien Upon Final Payment
13. Unconditional Waiver and Release of Claim of Lien Upon Final Payment



II. DESCRIPTIONS OF FORMS

Brief descriptions of the forms contained in your U.S. Legal Forms™ Construction Lien Package are found below.

Notice of Right to Lien Sect. 87.023 - A person furnishing any materials, equipment, services or labor described in ORS 87.010 (1) to (3), (5) and (6) for which a lien may be perfected under ORS 87.035 shall give a notice of right to a lien to the owner of the site. The notice of right to a lien may be given at any time during the progress of the improvement, but the notice only protects the right to perfect a lien for materials, equipment and labor or services provided after a date which is eight days, not including Saturdays, Sundays and other holidays as defined in ORS 187.010, before the notice is delivered or mailed.

Demand for list of Services - An owner who receives a notice of right to a lien in accordance with the provisions of ORS 87.021 may demand, in writing, from the person providing materials, equipment, services or labor a list of materials or equipment or description of labor or services supplied or a statement of the contractual basis for supplying the materials, equipment, services or labor, including the percentage of the contract completed, and the charge therefor to the date of the demand. The supplier's statement shall be delivered to the owner within 15 days, not including Saturdays, Sundays and other holidays as defined in ORS 187.010, of receipt of the owner's written demand, as evidenced by a receipt or a receipt of delivery of a certified or registered letter containing the demand. Failure of the supplier to furnish the information requested constitutes a loss of attorney fees and costs otherwise allowable in a suit to foreclose a lien.

Response to Demand for List of Services - An owner who receives a notice of right to a lien in accordance with the provisions of ORS 87.021 may demand, in writing, from the person providing materials, equipment, services or labor a list of materials or equipment or description of labor or services supplied or a statement of the contractual basis for supplying the materials, equipment, services or labor, including the percentage of the contract completed, and the charge therefore to the date of the demand. The supplier's statement shall be delivered to the owner within 15 days, not including Saturdays, Sundays and other holidays as defined in ORS 187.010, of receipt of the owner's written demand, as evidenced by a receipt or a receipt of delivery of a certified or registered letter containing the demand. Failure of the supplier to furnish the information requested constitutes a loss of attorney fees and costs otherwise allowable in a suit to foreclose a lien.

Claim of Lien - Every person claiming a lien created under ORS 87.010 (1) or (2) shall perfect the lien no 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 created under ORS 87.010 shall perfect the lien not later than 75 days after the completion of construction. All liens claimed shall be perfected as provided by subsections (2) to (4) of this section. A lien created under ORS 87.010 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 of Filing of Lien Claim - Every person claiming a lien created under ORS 87.010 (1) or (2) shall perfect the lien no 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 created under ORS 87.010 shall perfect the lien not later

than 75 days after the completion of construction. All liens claimed shall be perfected as provided by subsections (2) to (4) of this section. A lien created under ORS 87.010 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 of Completion - The completion of construction of an improvement shall occur when: (a) The improvement is substantially complete; or (b) a completion notice is posted and recorded as provided by subsections (2) and (3) of this section; or (c) the improvement is abandoned as provided by subsection (5) of this section. When all original contractors employed on the construction of an improvement have substantially performed their contracts, any original contractor, the owner or mortgagee, or an agent of any of them may post and record a completion notice.

Notice of Intent to Foreclose - This Notice of Intent to Foreclose is for use by an individual who intends to foreclose a lien on property to provide notice not later than ten days prior to commencement of the suit to the owner of the property upon which the lien is claimed and the mortgagee that he or she or others intends to commence suit to foreclose the lien upon the described property.

List of Material and Supplies Provided - This List of Material and Supplies Provided form is for use by an individual who intends to foreclose a lien on property to respond to a demand received from the owner of the property upon which the lien is claimed within five days of such demand to furnish a list of materials and supplies with the charge therefore, for which a claim will be made in the suit to foreclose.

Statement of Contractual Basis - This Statement of Contractual Basis form is for use by an individual who intends to foreclose a lien on property to respond to a demand he or she received from the owner of the property upon which the lien is claimed within five days of such demand to furnish a statement of contractual basis for the owner's obligation, for which a claim will be made in the suit to foreclose.

Conditional Waiver and Release of Claim of Lien Upon Progress Payment - This Conditional Waiver and Release of Claim of Lien Upon Progress Payment is for use by a lienor in consideration of a sum of money to waive and release his or her lien and right to claim a lien for labor, services or materials furnished through a certain date to a customer on the job of an owner of property. This Conditional Waiver and Release of Lien Upon Progress Payment is conditioned upon the lienor receiving collected funds in for the described work, and if these funds are not received within a specific number of days of the date of this waiver, this Conditional Waiver and Release of Lien is void.

Unconditional Waiver and Release of Claim of Lien Upon Progress Payment - This Unconditional Waiver and Release of Claim of Lien Upon Progress Payment form is for use by a lienor, in consideration of a sum of money, to waive and release his or her lien and right to claim a lien for labor, services or materials furnished through a particular date to a customer on the job of an owner of property.

Conditional Waiver and Release of Claim of Lien Upon Final Payment - This Conditional Waiver and Release of Claim of Lien Upon Final Payment is for use by a lienor in consideration of final payment to waive and release his or her lien and right to claim a lien for labor, services or materials furnished through a particular date to a customer on the job of an owner of property. This Conditional Waiver and Release of Lien Upon Final Payment is conditioned upon the lienor

receiving collected funds for the described work, and if these funds are not received within a certain number of days of the date of this waiver, this Conditional Waiver and Release of Lien is void.

Unconditional Waiver and Release of Claim of Lien Upon Final Payment - This Unconditional Waiver and Release of Claim of Lien Upon Final Payment form is for use by a lienor, in consideration of final payment, to waive and release his or her lien and right to claim a lien for labor, services or materials furnished through a particular date to a customer on the job of an owner of property.

If you need additional information, please visit www.uslegalforms.com and look up forms by subject matter. You may also wish to visit our legal definitions page at <http://definitions.uslegal.com/>

III. TIPS ON COMPLETING THE FORMS

The form(s) in this packet may contain "form fields" created using Microsoft Word or Adobe Acrobat (".pdf" format). "Form fields" facilitate completion of the forms using your computer. They do not limit your ability to print the form "in blank" and complete with a typewriter or by hand.

It is also helpful to be able to see the location of the form fields. Go to the View menu, click on Toolbars, and then select Forms. This will open the Forms toolbar. Look for the button on the Forms toolbar that resembles a shaded letter "a". Click this button and the form fields will be visible.

By clicking on the appropriate form field, you will be able to enter the needed information. In some instances, the form field and the line will disappear after information is entered. In other cases, it will not. The form was created to function in this manner.

IV. DISCLAIMER

These materials were developed by U.S. Legal Forms, Inc. based upon statutes and forms for the subject state. All information and Forms are subject to this Disclaimer:

All forms in this package are provided without any warranty, express or implied, as to their legal effect and completeness. Please use at your own risk. If you have a serious legal problem, we suggest that you consult an attorney in your state. U.S. Legal Forms, Inc. does not provide legal advice. The products offered by U.S. Legal Forms (USLF) are not a substitute for the advice of an attorney.

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