

94523



1 IN THE CIRCUIT COURT OF THE STATE OF OREGON

2 FOR THE COUNTY OF MULTNOMAH

3  
4 BERWICK L. WOOD,

5 Plaintiff,

6 -vs- NO. A 7905-02087  
7 BRUCE KAMHOOT, JOHN J. CARDEN, MDIC, INC., NOTICE OF CLAIM OF LIEN  
8 INC., an Oregon Corporation, and UPON ACTION AND JUDGMENT  
9 BRUCE KAMHOOT, & ASSOCIATES, an Oregon Corporation

10 Defendants.

11 Pursuant to ORS 87.445, 87.460, 87.470 and related Statutes,  
12 I, EDWIN J. WILSHI, Attorney for Defendants, claim a lien in the  
13 above entitled case in which a Judgment of Dismissal was entered  
14 upon a stipulated settlement for sums of money and for an award  
15 of real property.

16 The Judgment and Order of Dismissal was entered in the Multnomah County Circuit Court on the 22nd day of February, 1982.

17 1). The amount of my demand for the reasonable value of any  
18 services and costs advanced on behalf of Defendants in the above  
19 matter from May, 1979 through April, 1982, are:

20 Numerous telephone conversations and conferences with  
21 clients; interviews and conferences with witnesses;  
22 preparation for and taking of depositions; review of  
23 files and related documents; correspondence with clients,  
24 the Court and opposing counsel; telephone conversations  
25 and conferences with opposing counsel; preparation of  
pleadings, including Motion to Make More Definite and Cer-  
tain and Motion to Strike; Motions for Protective Order,  
to Limit Deposition and Discovery; appropriate Court

Page 1. - Notice of Claim of Lien  
Upon Action and Judgment

EDWIN JEWELSH  
ATTORNEY AT LAW  
111 SOUTHWEST 6TH BOX 420  
LAKE OSWEGO, OREGON 97034  
PHONE 626-4554

1 appearance and preparation of Orders; review of  
2 pleadings submitted on behalf of Plaintiff, including  
3 Complaint and Amended Complaints, Memorandum of  
Opposition to Defendants' Motion, Request for Production  
4 and Affidavits; preparation of Answers to Com-  
plaint and Amended Complaints; preparation of Memorandum  
5 in Opposition to Issuance of Writ; preparation of  
Motions re Plaintiff's Third Amended Complaint and re-  
view of Plaintiff's Response; Court appearance on argu-  
ment of Motions; preparation of Memorandum of Facts;  
6 preparation of Memorandum in Support of Motions; Motion  
for Order Allowing Intervention; preparation of Motion  
in Limine; preparation of Memorandum of Law; prepara-  
tion of supporting Affidavits; extensive legal research;  
7 review of additional pleadings and Memoranda submitted  
on behalf of Plaintiff; preparation of Motion to Strike  
as to Reply and supporting Memorandum; preparation of  
Motion for Partial Summary Judgment and Modified Motion  
8 for Admissions submitted on behalf of Plaintiff and preparation of Answers to Requests for  
Admissions; review of Exhibits; numerous Court appear-  
ances on various hearings; extensive negotiations for  
10 settlement; preparation of settlement documents including  
drafting of Exchange Agreements, Assignments, Re-  
leases; review of settlement documents prepared by opposing  
counsel; conferences with clients and opposing  
counsel re settlement negotiations.

11 Total services - May, 1979 through April, 1982 \$ 44,865.00

12 Total costs advanced - May, 1979 through June, 1982  
including costs advanced for filing fees, deposi-  
tions, photocopies, certified copies, title search  
(First American Title), expert fees (Doyce Granger &  
Sethen Clappur) -- \$ 4,304.10

13 Total fees and costs - \$ 49,169.10

14 less Credits: Payments on account March, 1982  
through May, 1982 - \$ 23,206.752

15 Balance due - Services and costs advanced - \$ 21,101.58

16 (2) The file document number in the file wherein is entered  
the order upon which I claim a lien for  
17 //

1        Multnomah County Clerk, File Number A 7903-02087, and  
2        Multnomah County Document Number - One Hundred Sixty (160),  
3        Filed February 22, 1982 at 11:02 a.m.

4        The real property involved in the stipulated settlement

5        after two weeks of trial is described as:

6        (a) Oliver Terrace property, located in Clackamas County,  
7        Oregon, as more particularly described in Exhibit "A"  
8        attached hereto.

9        (b) Real property situated in Yamhill County, Oregon, more  
10      particularly described in Exhibit "B", attached hereto,  
11      (Bayorth Terrace).

12      (c) Riverview Terrace, real property, located in Hood River  
13      County, Oregon, more particularly described in Exhibit "C"  
14      attached hereto; and

15      (d) Rock Creek Terrace, real property, situated in Skamania  
16      County, State of Washington, more particularly described  
17      in Exhibit "D" attached hereto.

18      (3) The amount claimed herein in the sum of \$21,101.58 is a

19      true and bona fide existing debt as of the date of filing this

20      Notice of Lien.

21      (4) The date when payment of the above debt plus the sum of

22      \$21,101.58 for professional services and costs advanced was due

23      Wednesday, October 10, 1982. That since the stipulated Settlement of the

24      within matter it gave advanced additional costs on behalf of De-

25      fendants in the total amount of \$2,717.00 and that said amount is

26      included in the total cost advanced by both parties hereto. That

27      said Defendants were to make monthly payments to me on said

28      date.

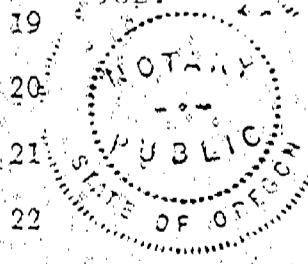
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1 outstanding balances; that said monthly payments were to be  
2 made by said Defendants on the 10th day of each month in the sum  
3 of \$1,666.00; that said Defendants have made only two payments,  
4 the last of which was received on May 18, 1982.

5  
6  
7  
8 STATE OF OREGON  
9 County of Clackamas

10 I, EDWIN J. WELSH, being first duly sworn on oath, depose  
11 and say:  
12 that I am the attorney for Defendants in the above entitled  
13 matter; that I have read the foregoing Notice of Claim of Lien  
14 upon Action and Judgment, know the contents thereof and the same  
15 is true as I verify believe.

16  
17 SUBSCRIBED and sworn to before me this 4th day of August,  
18 1982.



Reese Charles  
Notary Public for Oregon  
My Commission expires: 8/12/83

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that southerly portion of Block 14, The Shaver Subdivision of Blocks 9 to 10 and Tracts 11 to 18, of the Shaver Place, further described as follows:

Beginning at the easterly boundary of Ridings Avenue and the northerly boundary of Heintz Street; thence East along said northerly boundary to the southeast corner of Block 14, The Shaver Subdivision of the Shaver Place and the true place of beginning; thence northerly along said East line of Lot 14, The Shaver Subdivision of the Shaver Place, a distance of 380 feet to a point; thence westerly parallel with the northerly boundary of Heintz Street to a point on the easterly line of a tract of land conveyed to the City of Molalla for all purposes by deed recorded in Book 161, page 169, real records also known as Ridings Avenue, recorded in Book 161, page 169, real records also known as Ridings Avenue, thence southerly along said East line, a distance of 50 feet to a point; thence easterly parallel with the northerly boundary of Heintz Street, a distance of 100 feet to a point; thence southerly parallel with said easterly boundary of the aforementioned City of Molalla tract, a distance of 380 feet to a point on the northerly boundary of Heintz Street; thence East along said northerly boundary, a distance of 290 feet to the true place of beginning.

EXHIBIT "A"

STATE OF OREGON  
COUNT OF CLACKAMAS  
I HEREBY CERTIFY THAT THE WITHIN  
NOTICE IS A TRUE COPY

EDWARD J. WILSON  
Clerk of the County of Clackamas  
Attest: J. M. Wilson  
Attest: J. M. Wilson  
Attest: J. M. Wilson

EDWARD J. WILSON

7123

A tract of land lying in Section 17, Township 11 North, Range 2 West, of the Willamette Meridian, and being a part of the Richard Everett Donation Land Claim, Notification No. 1474, Clatsop Co., Oregon, Township 3 South, Range 2 West of the Willamette Meridian, in Yamhill County, Oregon; to-wit:

Beginning at the Northwest corner of lot 6 of Stock 3 of Stanley Subdivision, a recorded subdivision in Yamhill County, Oregon, thence North  $0^{\circ}18'25''$  West along the west boundary and the west boundary extended southerly of said lot 6, a distance of 347.00 feet to an iron pipe; then go South  $0^{\circ}59'00''$  West parallel with Haworth Avenue to the North, a distance of 340.15 feet to an iron pipe on the East boundary of a tract of land described by Title Volume 72, Page 1154, Deed and Mortgage Records of Yamhill County, Oregon,  $0^{\circ}21'35''$  East along the said boundary, 340.15 feet to the Northwest corner of said tract; thence South  $0^{\circ}59'00''$  West along the Northwest boundary of said tract 340.15 feet to the Northwest corner thereof and the Northwest corner of the Richard Everett Donation Land Claim; thence North  $0^{\circ}18'50''$  East along the said division line, 340.15 feet to the Northwest corner of Haworth Avenue; thence North  $0^{\circ}18'00''$  East along the said North boundary 340.15 feet to the place of beginning.

EXHIBIT "B"

721

Lots 2, 3, 4, and 5, Block 2, and Lots 5 and 6, Block 3, RIVERVIEW,  
ADDITION TO CASCADE LOCKS, in the City of Cascade Locks, County of  
Hood River and State of Oregon.

A triangular tract of land in the Northeast quarter of Section 12,  
Township 2 North, Range 7 East of the Willamette Meridian, in the  
County of Hood River and State of Oregon, and also being a portion  
of the John Chipman Donation Land Claim, more particularly described  
as follows:

Beginning at the intersection of the Northerly right of way line of  
the Old Columbia River Highway, with the North line of the Chipman  
Donation Land Claim; thence Westerly along the North line of the  
Chipman Donation Land Claim, a distance of 120 feet; thence South-  
easterly to a point on the Northerly right of way line of the Old  
Columbia River Highway, which is Southwesterly 85 feet from the point  
of beginning; thence Northeasterly along the North line of the Old  
Columbia River Highway, a distance of 85 feet to the point of  
beginning.

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...A tract of land located in Section 1, Township 2 North, Range 7, East of the Willamette Meridian, described as follows:

Beginning at a point on the North line of said Section 1, which is 804.50 feet West of the intersection of said North line with the West line of the H. Shepard D.L.C.; thence South  $00^{\circ} 50' 54''$  West parallel with the West line of the said Shepard D.L.C., 34.00 feet to the South right of way line of Vancouver Avenue and the true point of beginning; thence North  $88^{\circ} 56' 55''$  West 172.73 feet to a brass screw set in curb; thence South  $01^{\circ} 33' 03''$  West 227.60 feet; thence North  $82^{\circ} 48' 05''$  West 162.97 feet, more or less, to the East right of way line of Second Avenue; thence Southeasterly along said East line to a point which bears South  $00^{\circ} 50' 54''$  West from the true point of beginning; thence North  $00^{\circ} 50' 54''$  East parallel with the West line of the Shepard D.L.C. 499.56 feet to the true point of beginning....

EXHIBIT "D"