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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., an Oregon Corporation, and ) NOTICE OF CLAIM OF LIEN  
8 BRUCE KAMHOOT & ASSOCIATES, an Oregon Corporation, ) UPON ACTION AND JUDGMENT  
9  
10 Defendants. )



12 Pursuant to ORS 87.445, 87.450, 87.470 and related Statutes,  
13 I, EDWIN J. WILSHI, Attorney for Defendants, claim a lien in the  
14 above entitled case in which a Judgment of Dismissal was entered  
15 upon a stipulated settlement for sums of money and for an award  
16 of real property.

17 The Judgment and Order of Dismissal was entered in the Mult-  
18 nomah County Circuit Court on the 22nd day of February, 1932.

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

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

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

1 appearance and preparation of Orders; review of  
 2 pleadings submitted on behalf of Plaintiff, including Complaint and Amended Complaints, Memorandum in  
 3 Opposition to Defendants' Motion, Request for Production and Affidavits; preparation of Answers to Complaint and Amended Complaints; preparation of Memorandum in Opposition to Issuance of Writ; preparation of Motions re Plaintiff's Third Amended Complaint and review of Plaintiff's Response; Court appearance on argument of Motions; preparation of Memorandum of Facts; preparation of Memorandum in Support of motions; Motion for Order Allowing Intervention; preparation of Motion in Limine; preparation of Memorandum of Law; preparation of supporting Affidavits; extensive legal research; 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; review of Requests for Admission submitted on behalf of Plaintiff and preparation of Answers to Request for Admissions; review of Exhibits; numerous Court appearances on various hearings; extensive negotiations for settlement; preparation of settlement documents including drafting of Exchange Agreements, Amendments, Releases; review of settlement documents submitted by opposing counsel; conferences with clients and opposing counsel re settlement negotiations -

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

16 Total costs advanced - May, 1979 through June, 1982, including costs advanced for filing fees, depositions, photocopies, certified copies, title report (First American Title), expert fees (Joyce Tsongas & Susan Hammer) --

4,304.10

19 Total fees and costs - \$ 49,169.10  
 20

21 Less Credits: Payments on account March, 1980 through May, 1982 - 28,067.52

22 Balance due - Services and costs advanced - \$ 21,101.58  
 23

24 2) The file document number in the file wherein is entered  
 25 the Order upon which I claim a lien is:

26 ///

**Page 2. - NOTICE OF CLAIM OF LIEN  
 UPON ACTION AND JUDGMENT**

EDWIN J. WELSH  
 ATTORNEY AT LAW  
 115 SOUTHWEST BLDG. BOX 474  
 LAKE OSWEGO, OREGON 97034  
 (503) 646-4564

1 Multnomah County Clerk, File Number A 7905-02087, 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) Toliver 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.  
(Haworth Terrace.)
- 11 (c) Riverview Terrace, real property, located in Hood River  
12 County, Oregon, more particularly described in Exhibit "C"  
13 attached hereto, and
- 14 (d) Rock Creek Terrace, real property, located in Skamania  
15 County, State of Washington, more particularly described  
16 in Exhibit "D" attached hereto.

17 3) The amount claimed herein in the sum of \$21,101.58 is a  
18 true and bona fide existing debt as of the date of filing this  
19 Notice of Lien.

20 4) The date when payment of the above balance in the sum of  
21 \$21,101.58 for professional services and costs advanced was due  
22 was July 10, 1982. That since the stipulated settlement of the  
23 within matter I have advanced additional costs on behalf of De-  
24 fendants in the total amount of \$2,717.00 and that said amount is  
25 included in the total costs advanced hereinbefore set forth. That  
26 said Defendants were to make monthly payments to me on said

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

EDWIN J. WELSH OSB #39050

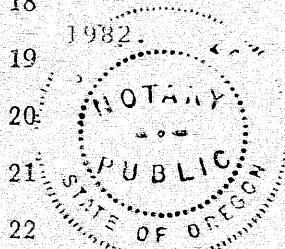
8 STATE OF OREGON )  
9 County of Clackamas ) ss.

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 verily believe.

16

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



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

23

24

25

26

Page 4. - NOTICE OF CLAIM OF LIEN  
UPON ACTION AND JUDGMENT

EDWIN J. WELSH  
ATTORNEY AT LAW  
311 SOUTHWEST BLDG BOX 523  
LAKE OSWALD, OREGON 97034  
1-800-616-4554

....That southerly portion of Block 14, The Shaver Subdivision of Blocks 5 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 parallel with the northerly boundary of Heintz Street; a distance of 110 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  
COUNTY OF MOLALLA SS  
I HEREBY CERTIFY THAT THE WITHIN

EDWIN J. WELCH  
DRAWING INN MOLALLA OR  
1100 E. 11TH AUG 5 1974

LITS

712

— W. J. Welch

— d. Welch

( - ) 723

A tract of land lying in Section 17, Township 3 South, Range 2 West, of the Willamette Meridian, and being a part of the Richard Everest Donation Land Claim, Notification No. 1474; Claim No. 53, in 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 Block 1 of Stanley Subdivision, a recorded subdivision in Yamhill County, Oregon. Thence South  $0^{\circ}18'25''$  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; thence South  $89^{\circ}59'00''$  West parallel with Haworth Avenue to the North, a distance of 230.48 feet to an iron pipe on the Easterly boundary of a tract of land described by Film Volume 72, Page 1154, Deed and Mortgagor Records of Yamhill County; thence North  $0^{\circ}21'35''$  East along the said boundary, 263 feet to the Northeast corner of said tract; thence South  $88^{\circ}51'50''$  West along the Northerly boundary of said tract 99.37 feet to the Northwest corner thereof, and the division line of the Richard Everest Donation Land Claim No. 53; thence North  $0^{\circ}14'50''$  East along the said division line, 340.08 feet to the South boundary of Haworth Avenue; thence North  $0^{\circ}59'00''$  East along the said south boundary 330.15 feet to the place of beginning.

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.

....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....