

CONDITIONAL WAIVER AND RELEASE UPON PROGRESS PAYMENT

Upon receipt by the undersigned of a check from _____ in the sum of _____ DOLLARS (\$_____) made payable to _____, and when the aforesaid check has been properly endorsed and has been paid by the bank upon which it is drawn, this document shall become effective to release any mechanic's lien, stop notice, or bond right which the undersigned has on the job of _____ (the "Owner") located at _____ to the following extent:

This release covers a progress payment for labor, services, equipment, and material furnished by the Owner through _____ [date] only and does not cover any requirements incurred before or after the release date; extras furnished before the release date for which payment has not been received; extras or items furnished after the release date. For the purpose of this release, labor services, equipment, or material furnished under a written change order which has been fully approved by the parties prior to the release date are covered by this release unless specifically excluded hereinafter in this release.

This release in any event waives, stops, notices, or bonds, but shall not otherwise affect the contract rights, including lien rights, of the parties to the contract based upon a rescission, abandonment, or breach of the contract, or the right of the undersigned to recover compensation for furnished labor services, equipment, or material covered by this release if that furnished labor, services, equipment, or material was not compensated by the progress payment.

The undersigned warrants that all debts owed to any third party by the undersigned relating to any labor, services, equipment or material covered by this waiver of lien rights have been paid or will be timely paid.

Before any recipient of this document relies on it, that party should verify evidence of payment to the undersigned.

DATED at _____ this ____ day of _____, _____.

Name of Company

By: _____
Print name

Title: _____

This instrument was prepared by:

Name

Address

City State Zip