

**Individual Lien Filing**  
**South Dakota Department of Transportation**

1. Person(s) filing lien:			
2. DOT project number:		County:	
3. Prime Contractor:			
4. Subcontractor (if you are a second-tier sub or supplier):			
5. Type of work performed:			
6. Materials supplied:			
7. Dates work performed:			
8. Balance due:	\$		
9. Signature(s):			Date: <span style="border-bottom: 1px solid black;"></span>
			Date: <span style="border-bottom: 1px solid black;"></span>

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me \_\_\_\_\_, a notary public, personally appeared \_\_\_\_\_, known to me or satisfactorily proven to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Signature of Notary Public: \_\_\_\_\_

State of: \_\_\_\_\_

(Notary Seal)

Residing at: \_\_\_\_\_

My commission expires: \_\_\_\_\_

## Instructions for an Individual Filing a Lien

1. Person(s) requesting a lien.
2. DOT project number: The South Dakota Department of Transportation (DOT) project number [such as BRO 8042(2)] of the project for which you are owed money. Complete a separate lien filing form for each project that you are owed money. County: The county or counties the project is located in.
3. Prime contractor: self-explanatory.
4. Subcontractor: Provide name of subcontractor only if you worked under that firm as a second-tier subcontractor or supplier.
5. Type of work performed: Provide a brief description of the work you provided, but was not paid, such as -- hauled 50 tons of gravel from crusher to project; seeded 10 acres; installed 150 feet of three cable guard rail.
6. Materials supplied: Provide a list of materials you supplied by type and quantity or weight.
7. Dates work performed: Provide a list of the dates you performed the work or supplied materials you were not paid for.
8. Balance due: Provide the balance of the money due to you for services or materials provided.
9. Signature: Signature of the individual(s) filing the lien on behalf of themselves and include the date the form was signed.
10. The lien must be notarized.
11. Retain a copy of the lien filing for your records.
12. Liens are to be filed only for projects where payment is due from the DOT. The DOT does not have authority to file a lien on projects let by another department or governmental entity.
13. This lien filing will withhold an amount of money sufficient to cover the lien from funds due or to become due to the prime contractor.
14. Action to enforce or determine the validity of the lien may be brought by the claimant, the contractor, or the DOT in the Circuit Court for the county where the work or any part will be situated.
15. This lien will cease to have any validity or be binding on the contractor or DOT unless an action to enforce the same is commenced within thirty (30) days from the acceptance of the work for which the same is claimed.
16. Notwithstanding these instructions, the provisions of SDCL Chapter 5-22 govern liens relating to public improvement contracts.
17. Mail original signed and notarized form to:

Department of Transportation  
Office of Legal Counsel  
700 East Broadway Avenue  
Pierre, South Dakota 57501-2586