

UNCONDITIONAL WAIVER AND RELEASE UPON PROGRESS PAYMENT

_____ (Undersigned) has been paid and has received a progress payment in the sum of \$_____ and a balance of \$_____ for labor, services, equipment, or material furnished to **Boyer Commercial Construction, Inc** for the job of _____ (owner) located at _____ (job description)

And does hereby release any mechanic's lien, stop notice or bond right that the undersigned has on the above referenced job to the following extent.

This release covers a progress payment for labor, services, equipment, or material furnished to

Boyer Commercial Construction, Inc, through _____ (date)

Only and does not cover any retentions retained 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. Rights based upon work performed or items furnished under a written change order which has been fully executed by the parties prior to the release date are covered by this release unless specifically reserved by the claimant in this release. This release of mechanic's lien, stop notice, or bond right shall not otherwise affect the contract rights, including rights between 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, service, equipment, or material covered by this release if that furnished labor, service, equipment, or materials was not compensated by the progress payment.

Dated: _____

Company Name: _____

Signature: _____

Title: _____

NOTICE: THIS DOCUMENT WAIVES RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN PAID FOR GIVING UP THOSE RIGHTS. THIS DOCUMENT IS ENFORCEABLE AGAINST YOU IF YOU SIGN IT, EVEN IF YOU HAVE NOT BEEN PAID. IF YOU HAVE NOT BEEN PAID, USE A CONDITIONAL RELEASE FORM.

Note: This form is to be used to release claims to the extent that a progress payment has actually been received by the releasing party.

Subscribes and sworn to before me on this _____ day of _____, 20_____.

Notary Public: _____

My Commission Expires: _____

STAMP OR SEAL REQUIRED