

CONDITIONAL WAIVER AND RELEASE ON PROGRESS PAYMENT

NOTICE: THIS DOCUMENT WAIVES THE CLAIMANT'S LIEN, STOP PAYMENT NOTICE, AND PAYMENT BOND RIGHTS EFFECTIVE ON RECEIPT OF PAYMENT. A PERSON SHOULD NOT RELY ON THIS DOCUMENT UNLESS SATISFIED THAT THE CLAIMANT HAS RECEIVED PAYMENT.

Identifying Information

- Name of Claimant: _____
- Name of Customer: _____
- Job Location: _____
- Owner: _____
- Through Date: _____

Conditional Waiver and Release

This document waives and releases lien, stop payment notice, and payment bond rights the claimant has for labor and service provided, and equipment and material delivered, to the customer on this job through the Through Date of this document. Rights based upon labor or service provided, or equipment or material delivered, pursuant to a written change order that has been fully executed by the parties prior to the date that this document is signed by the claimant, are waived and released by this document, unless listed as an Exception below. This document is effective only on the claimant's receipt of payment from the financial institution on which the following check is drawn:

- Maker of Check: _____
- Amount of Check: _____
- Check Payable to: _____

Exceptions

This document does not affect any of the following:

1. Retentions.
2. Extras for which the claimant has not received payment.
3. The following progress payments for which the claimant has previously given a conditional waiver and release but has not received payment:
Date(s) of waiver and release: _____

Amount(s) of unpaid progress payment(s): _____
4. Contract rights, including (A) a right based on rescission, abandonment, or breach of contract, and (B) the right to recover compensation for work not compensated by the payment.

Signature

- Claimant's Signature: _____
- Print Name & Title: _____
- Date of Signature: _____
- State of: _____
- County of: _____
- Subscribed and sworn to (or affirmed) before me on this _____ day of 20____ ,
by _____ proved to me on the basis of satisfactory evidence to be the person who appeared before me.
(Name of Signer)

(Signature of Notary)

Seal:

NOTE: This form of release complies with the requirements of Civil Code 8132. It is to be used by a party who applies for a progress payment when the progress check has not yet cleared from the bank. This release only becomes effective when the check, properly endorsed, has cleared the bank.