

CALIFORNIA
CONSTRUCTION or MECHANICS
LIEN FORMS

PACKAGE

CONTRACTOR EDITION
(sole proprietor)

Control Number: CA-P091-PKG



U.S. Legal Forms™ thanks you for your purchase of a Construction Lien Forms Package. This package is an important tool to help you with the legal issues that may arise between a contractor who performs services and/or supplies materials or equipment to a property but is not paid for the services/materials/equipment. This package includes state specific forms for a contractor operating as a sole proprietor or individual.

TABLE OF CONTENTS

- | | |
|------|------------------------------|
| I. | Form List with descriptions |
| II. | Descriptions of Forms |
| III. | Tips on Completing the Forms |
| IV. | Disclaimer |

I. FORM LIST

With your Construction Lien Package, you will find many of the forms that are necessary to protect your legal rights or claims to secure and enforce a lien on property for unpaid services and/or materials or equipment.

Included in your package are the following forms:

1. Bonded Stop Notice
2. Notice and Claim of Lien
3. Notice of Compensation
4. Preliminary Twenty Day Notice – Private Works
5. Stop Notice
6. Release of Stop Notice
7. Proof of Service Affidavit
8. Notice of Lis Pendens
9. Request for Notice of Election
10. Notice of Disputed Work
11. Notice of Completion of Disputed Work
12. 10-Day Stop Work Order
13. Notice of Intent to File 10-Day Stop Work Order

14. Notice of Cancellation of 10-Day Stop Work Order or Resolution of Dispute

II. DESCRIPTIONS OF FORMS

Brief descriptions of the forms contained in your U.S. Legal Forms™ Construction Lien Package are found below.

Bonded Stop Notice - This form is sent to a construction lender by an individual lien claimant regarding a stop notice where bond has been posted.

Notice and Claim of Lien - This form is filed by an individual desiring to claim a lien against a piece of property for materials supplied and/or labor performed.

Notice of Compensation - This form is used by a person who desires to make it known that he has been underpaid.

Preliminary Twenty Day Notice – Private Works - This form is used as a precursor to actually filing a Lien Claim. It is used by an individual who wishes to put the owner or contractor on notice of potential for a claim.

Stop Notice - This form is used by an individual who wishes to notify a contractor or owner with regard to the distribution of construction funds.

Release of Stop Notice - This Release of Stop Notice form is for use by a lien claimant to release a certain Stop Notice against the owner or public body and the prime contractor in connection with a work of improvement.

Proof of Service Affidavit - This Proof of Service Affidavit form is for use by an individual to declare that he or she has served copies of a particular document by personal service on a certain date at a certain time or by First Class Certified or Registered Mail Service, postage prepaid on a certain date.

Notice of Lis Pendens - This Notice of Lis Pendens is for use by an individual party to an action who asserts a real property claim to give notice of the pendency of an action in which that real property claim is alleged and includes the names of the parties to the action and a description of the real property affected. Before being recorded, this Notice must either be signed by the attorney of record or by a party acting in propria persona and approved by a judge of the court in which the action is pending. This Notice must be served to all known addresses of the parties to whom the real property claim is adverse and to all owners of record of the real property affected by the real property claim as shown by the latest county assessment roll. A proof of service or a declaration under penalty of perjury for adverse parties or owners with no known address for service must also be recorded. Following recordation, the Notice must be filed with the court in which the action is pending, and each adverse party later joined in the action must be served.

Request for Notice of Election - This Request for Notice of Election form is for use by an individual claimant who has furnished labor, services, equipment and/or materials for the work of improvements to property and who has given the construction lender the stop notice or bonded stop notice, to request notice of the election and a copy of the bond within thirty days after making the election.

Notice of Disputed Work - This Notice of Disputed Work form is for use by an individual original contractor for work of improvements to property to provide notice of a bona fide dispute between

the original contractor and a subcontractor. This Notice states that the original contractor will withhold from the subcontractor with whom the dispute exists its portion of the retention proceeds, not to exceed 150 percent of the estimated value of the disputed amount.

Notice of Completion of Disputed Work - This Notice of Completion of Disputed Work is for use by an individual original contractor or subcontractor for work of improvements to property, to provide notice to the owner or original contractor that any work in dispute has been completed in accordance with the terms of the contract and to provide the date of completion.

10-Day Stop Work Order - This 10-Day Stop Work Order form is for use by an individual original contractor for private work of improvements to property who has not been paid all moneys which are owed pursuant to a written contract for such improvements within 35 days from the date payment was due pursuant to the written contract, and for which there is no dispute as to the satisfactory performance, to state that unless all amounts due are paid within ten days from the date of the notice, the original contractor will stop work on the project.

Notice of Intent to File 10-Day Stop Work Order - This Notice of Intent to File 10-Day Stop Work Order is for use by an individual original contractor for the private work of improvements to property at least five days before service upon the owner of a 10-day Stop Work Order to provide notice of an intent to file a 10-day Stop Work Order. This Notice must be served upon all subcontractors with whom the original contractor has a direct contractual relationship on the project at the same time the notice was served upon the owner.

Notice of Cancellation of 10-Day Stop Work Order or Resolution of Dispute - This Notice of Cancellation of 10-Day Stop Work Order or Resolution of Dispute form is for use by an individual original contractor for the private work of improvements to property, upon resolution of the dispute or cancellation of the 10-day notice by the original contractor, to provide notice to the subcontractors with whom the original contractor has a direct contractual relationship that the dispute has been resolved or the 10-day notice cancelled.

If you need additional information, please visit www.uslegalforms.com and look up forms by subject matter. You may also wish to visit our legal definitions page at <http://definitions.uslegal.com/>

III. TIPS ON COMPLETING THE FORMS

The form(s) in this packet may contain "form fields" created using Microsoft Word or Adobe Acrobat (.pdf format). "Form fields" facilitate completion of the forms using your computer. They do not limit your ability to print the form "in blank" and complete with a typewriter or by hand.

It is also helpful to be able to see the location of the form fields. Go to the View menu, click on Toolbars, and then select Forms. This will open the Forms toolbar. Look for the button on the Forms toolbar that resembles a shaded letter "a". Click this button and the form fields will be visible.

By clicking on the appropriate form field, you will be able to enter the needed information. In some instances, the form field and the line will disappear after information is entered. In other cases, it will not. The form was created to function in this manner.

IV. DISCLAIMER

These materials were developed by U.S. Legal Forms, Inc. based upon statutes and forms for the subject state. All information and Forms are subject to this Disclaimer:

All forms in this package are provided without any warranty, express or implied, as to their legal effect and completeness. Please use at your own risk. If you have a serious legal problem, we suggest that you consult an attorney in your state. U.S. Legal Forms, Inc. does not provide legal advice. The products offered by U.S. Legal Forms (USLF) are not a substitute for the advice of an attorney.

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