

**INDIANA**

**CONSTRUCTION or MECHANICS**

**LIEN FORMS**

**PACKAGE**

**CONTRACTOR EDITION**  
**(sole proprietor)**

Control Number: IN-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.

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### **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. Notice of Furnishing - Alteration or Repair
2. Notice of Lien
3. Notice of Lien - Class 2 Structure
4. Notice to Commence Suit
5. Affidavit of Service of Notice to Commence Suit
6. Discharge of Lien
7. Partial Discharge of Lien
8. Demand for Discharge of Lien

## II. DESCRIPTIONS OF FORMS

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

Notice of Furnishing - Alteration or Repair - This form is used by any individual person that sells or furnishes material or labor for the alteration and repair of any owner occupied single or double family dwelling. It serves to put the occupying owner on notice that a lien could result from the furnishing of labor and materials. The party issuing the notice is required to furnish this notice to the property owner within thirty (30) days from the date of the first delivery or labor performed.

Notice of Lien - This form is used to officially record a lien. It must be filed in duplicate in the recorder's office within ninety (90) days after performing labor or furnishing materials. It sets out the amount that the lien claimant is owed, the names and addresses of the claimant and owner, and the legal description of the property. Please note that a different form is used for Class 2 structures.

Notice of Lien - Class 2 Structure - This form is used to officially record a lien for labor or materials supplied towards a class 2 structure as defined by (IC 22-12-1-5). It must be filed in duplicate in the recorder's office within ninety (60) days after performing labor or furnishing materials. It sets out the amount that the lien claimant is owed, the names and addresses of the claimant and owner, and the legal description of the property. Please note that a different form is used for Class 2 structures.

Notice to Commence Suit - This form is used by a property owner, or other party with an interest in the property, to put the lien holder on notice that the party issuing the notice is contesting the lien. The lien holder has thirty (30) days from receipt of this notice to file suit. Failure to file suit within thirty (30) days allows the owner or other party to file an affidavit with the county recorder which renders the lien null and void, if the notice was sent to the lien holder by certified or registered mail.

Affidavit of Service of Notice to Commence Suit - Thirty (30) days after a property owner, or other party with an interest in the property, serves the lien holder with a Notice to Commence Suit by certified or registered mail, an Affidavit of Service of Notice to Commence Suit may be filed with the county recorder. If the lien holder has not filed suit within thirty (30) days of receiving the notice, the recorder should record the affidavit and certify that the lien in question has been released.

Discharge of Lien - Although Indiana statutes do not have a specific provision for the discharging of liens via payment of the claim, this form can be used by a lien holder to provide a property owner or other party with a release upon payment in full of the amount owed.

Partial Discharge of Lien - This Partial Discharge of Lien form is for use by an individual lienholder to acknowledge receipt of payment for specific labor performed or materials furnished for improvements to property. This form states that it is a discharge of only a portion of a mechanic's lien which the lien claimant has in connection with the property for the labor performed and materials furnished.

Demand for Discharge of Lien - This Demand for Discharge of Lien is for use by an individual to demand from an owner, holder or custodian of a lien for labor performed or materials furnished

in connection with improvements to property to release, discharge and satisfy of record the mechanic's lien no later than 15 days after the date the demand is received.

If you need additional information, please visit [www.uslegalforms.com](http://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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