

**MISSISSIPPI**  
**CONSTRUCTION or MECHANICS**  
**LIEN FORMS**  
**PACKAGE**  
**CONTRACTOR EDITION**  
**(sole proprietor)**

Control Number: MS-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. Stop Notice by Subcontractor
2. Lien Notice - 85-7-131
3. Authorization to Satisfy Lien Notice
4. Complaint to Enforce Materials Lien and for Other Relief
5. Plaintiff's First Request for Production of Documents
6. Conditional Waiver and Release of Lien Upon Progress Payment
7. Unconditional Waiver and Release of Lien Upon Progress Payment
8. Conditional Waiver and Release of Lien Upon Final Payment
9. Unconditional Waiver and Release of Lien Upon Final Payment
10. Assignment of Lien
11. Notice of Lis Pendens

## II. DESCRIPTIONS OF FORMS

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

Stop Notice by Subcontractor - Stop Notice by Subcontractor: A Stop Notice by a Subcontractor states that he/she is making a claim that payment has not been made to them for services rendered. Due to the non-payment, a lien has been placed on the Owner's land until such time the account is paid in full, or satisfied.

Lien Notice - 85-7-131 - A Lien Notice is sent to the Owners of property, as well as the Court. It states that a lien has been placed on the Owner's land due to insufficient payment of funds for materials and services rendered. This states that once the account is brought to date, the lien shall be released.

Authorization to Satisfy Lien Notice - This Authorization to Satisfy Lien Notice form is for use by an individual and is signed by the court clerk's office, which states that the lien has been satisfied. Therefore, due to the satisfaction of the lien, it should be removed from the record books, as being active on a particular parcel of property.

Complaint to Enforce Materials Lien and for Other Relief - This form is for use by an individual and is a pleading which marks the beginning of a lawsuit. This particular Complaint states that a Contractor wishes to enforce a material lien against the Owner for non-payment on an account.

Plaintiff's First Request for Production of Documents - The Plaintiff's First Request for Production of Documents asks that the Defendant produce certain documents for the Plaintiff's inspection. These requests are to be used as a model and should be tailored to meet one's individual case.

Conditional Waiver and Release of Lien Upon Progress Payment - This Conditional Waiver and Release of Lien Upon Progress Payment form is for use by a lienor in consideration of a particular sum of money to waive and release his or her lien and right to claim a lien for labor, services or materials furnished through a certain date to a customer on the job of the owner of property. This form is conditioned upon the lienor receiving collected funds for the work described, and if these funds are not received within a specific number of days of the date of the waiver, the waiver and release of lien is void.

Unconditional Waiver and Release of Lien Upon Progress Payment - This Unconditional Waiver and Release of Lien Upon Progress Payment form is for use by a lienor in consideration of a particular sum of money to waive and release his or her lien and right to claim a lien for labor, services or materials furnished through a certain date to a customer on the job of an owner of property.

Conditional Waiver and Release of Lien Upon Final Payment - This Conditional Waiver and Release of Lien Upon Final Payment is for use by a lienor, in consideration of the final payment of a certain amount of money to waive and release his or her lien and right to claim a lien for labor, services or materials furnished through a particular date to a customer on the job of an owner of property. This Conditional Waiver and Release of Lien Upon Final Payment is conditioned upon the lienor receiving collected funds in a certain amount of money for the work,

and if these funds are not received within a specific number of days of the date of this waiver, this Conditional Waiver and Release of Lien is void. This Conditional Waiver and Release of Lien Upon Final Payment form is a waiver and release that covers the final payment to the lienor for all labor, services, equipment, or material furnished on the job. Before any recipient of the document relies on it, the party should verify evidence of payment to the lienor.

Unconditional Waiver and Release of Lien Upon Final Payment - This Unconditional Waiver and Release of Lien Upon Final Payment form is for use by a lienor, in consideration of final payment in a certain amount of money to waive and release his or her lien and right to claim a lien for labor, services or materials furnished through a particular date to a customer on the job of the owner of the property.

Assignment of Lien - This Assignment of Lien form is for use by an individual lien claimant who furnished or supplied labor, materials, or laborers for the purpose of improvements of real property such that the lien claimant is entitled to a lien for the value of labor, materials, or laborers supplied, to give notice that he or she has assigned his or her claim and lien to another individual who shall have all the rights and remedies under law to which the lien claimant is entitled subject to all defenses that might be made if such assignment had not been made, for the purpose of filing and for the enforcement of the lien.

Notice of Lis Pendens - This Notice of Lis Pendens form is for use by an individual laborer, materialman or architect entitled, or who may become entitled, to a lien under M.S.A. § 85-7-131, et seq., or to give a stop notice to any owner, to provide notice that a civil action has been commenced in a particular court, and lists the names of the parties involved, the nature and object of the action, and the location and legal description of the real property affected by the action. The Notice shall, from the time of the recording be notice both of the lien and of the pendency of the action to the owner and all other persons interested, all of whom shall be bound thereby.

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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