

**NEBRASKA**

**CONSTRUCTION or MECHANICS**

**LIEN FORMS**

**PACKAGE**

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

Control Number: NE-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. Notice of Right to Assert a Lien
2. Claim of Lien
3. Request for Information from Subcontractor
4. Subcontractor's Information Statement
5. Request for Information from Prime Contractor
6. Prime Contractor's Information Statement
7. Conditional Waiver and Release of Lien Upon Progress Payment
8. Conditional Waiver and Release of Lien Upon Final Payment
9. Assignment of Lien
10. Notice of Assignment of Lien
11. Notice of Commencement
12. Notice of Commencement by One Other Than Owner
13. Notice of Termination of Notice of Commencement

14. Published Notice of Recording of Notice of Termination
15. Affidavit That Notice of Termination Sent to All Claimants Requesting Notice
16. Amendment of Recorded 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 Right to Assert a Lien - This Notice of Right to Assert a Lien form is for use by an individual who has entered into a contract under which he or she may claim a lien under the Nebraska Construction Lien Act, to give notice of the right to assert a lien to the contracting owner, and to provide information, including the claimant's name and address, the name and address of the person with whom the claimant contracted, the name of the owner against whom the lien is claimed, a general description of the services or materials provided or to be provided, a description of the real estate against which the lien is or may be claimed, and the amount unpaid to the claimant for services or materials, whether or not due, or if no amount is fixed by the contract, a good faith estimate of the amount designated as an estimate.

Claim of Lien - This Claim of Lien form is for use by an individual to swear on oath that he or she is the lienor or an agent of the lienor and to provide his or her address, the name and person with whom he or she contracted with to furnish labor, services, or materials on certain real property, and includes the type of labor, services, or materials furnished, a legal description of the property, the amount unpaid, the dates the labor, services, or materials were furnished, the date and method of service of the notice upon the owner if the lien is claimed by one not in privity with the owner), and the date and method of service upon the contractor and subcontractor, if required.

Request for Information from Subcontractor - This Request for Information from Subcontractor form is for use by an individual who may claim a lien under the Nebraska Construction Lien Act through a claimant other than a prime contractor, to request that such claimant provide within a reasonable time not exceeding five days, the name of the person who contracted for the furnishing by the claimant of the materials or services in connection with which the lien claim may arise.

Subcontractor's Information Statement - This Subcontractor's Information Statement form is for use by an individual claimant other than a prime contractor to respond to a request from a person who may claim a lien through him or her under the Nebraska Construction Lien Act to provide the name of the person who contracted for the furnishing by the claimant of the materials or services in connection with which the lien claim may arise.

Request for Information from Prime Contractor - This Request for Information from Prime Contractor is for use by an individual who may claim a lien under the Nebraska Construction Lien Act through a prime contractor to request that the prime contractor provide within a reasonable time not exceeding ten days a description of the real estate being improved, the name and address of the contracting owner with whom the prime contractor contracted, and whether there is a surety bond, and if so, the name of the surety.

Prime Contractor's Information Statement - This Prime Contractor's Information Statement is for use by an individual prime contractor to respond to a request for information from a claimant who may claim a lien through him or her under the Nebraska Construction Lien Act and includes a legal description of the real estate being improved, the name and address of the contracting owner with whom the prime contractor contracted with, and whether there is or is not a surety bond, and the name of the surety (if applicable).

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 certain 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 particular date to a customer on the job of the owner of property. This Conditional Waiver and Release of Lien Upon Progress Payment is conditioned upon the lienor receiving collected funds for the work described, and if these funds are not received within a certain number of days of the date of this waiver, this waiver is void.

Conditional Waiver and Release of Lien Upon Final Payment - This Conditional Waiver and Release of Lien Upon Final Payment form is for use by a lienor, in consideration of final payment 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 Conditional Waiver and Release of Lien Upon Final Payment is conditioned upon the lienor receiving collected funds for the work described, and if these funds are not received within a particular number of days of the date of this waiver, this waiver is void.

Assignment of Lien - This Assignment of Lien form is for use by an individual lienor, who furnished or supplied labor, materials, or laborers for the purpose of improvements of real property such that the lienor is entitled to a lien for the value of labor, materials, or laborers supplied, to provide notice that he or she has assigned his or her claim and lien and to provide the name and address of the assignee.

Notice of Assignment of Lien - This Notice of Assignment of Lien form is for use by an individual lienor to provide notice to an owner that he or she assigned his or her claim and lien for labor, materials, or laborers furnished for the purpose of improvements of real property. The notice provides the assignee's name and address and states that from the date of the notice, no arrangements or payments can be made without the assignee's consent.

Notice of Commencement - This Notice of Commencement is for use by an individual to provide notice that an improvement will be made to certain real property and to provide a legal description of such property, a general description of the improvement, the owner's name, address, and interest in real estate, and the name and address of the fee simple titleholder (if other than the contracting owner).

Notice of Commencement by One Other Than Owner - This Notice of Commencement by One Other Than Owner form is for use by an individual claimant to provide notice that an improvement will be made to certain real property, and to provide a legal description of such property, the contracting owner's name and address, the name and address of the claimant, the name and address of the person with whom the claimant contracted, and the services or materials provided, or to be provided, by the claimant for the improvement.

Notice of Termination of Notice of Commencement - This Notice of Termination of Notice of Commencement form is for use by an individual to provide notice that a Notice of Commencement will terminate on a specific date and to set forth the date and recording information concerning the Notice of Commencement being terminated, the legal description of the real estate being or intended to be improved or directly benefited, the contracting owner's name, address, interest in real estate, and the name and address of the fee simple titleholder (if other than the contracting owner).

Published Notice of Recording of Notice of Termination - This Published Notice of Recording of Notice of Termination is for use by an individual contracting owner to publish a notice of the recording of the Notice of Termination and provides the date and recording information of the Notice of Commencement being terminated, the date the Notice of Commencement shall be terminated, a legal description of the real estate being or intended to be improved or directly benefited, the contracting owner's name, address and interest in real estate, the name and address of the fee simple titleholder (if other than the contracting owner), and the date the Notice of Termination was recorded.

Affidavit That Notice of Termination Sent to All Claimants Requesting Notice - This Affidavit That Notice of Termination Sent to All Claimants Requesting Notice form is for use by an individual contracting owner to state that he or she notified all claimants who requested notice of the recorded notice of termination on a particular date and that he or she published a notice of the recording of the notice of termination in a certain newspaper, which has general circulation in the county where the recording occurred, on specific dates of publication.

Amendment of Recorded Lien - This Amendment of Recorded Lien form is for use by an individual lienor or agent of the lienor who filed a notice of lien which was recorded for labor, services, or materials he or she furnished for the improvement of real property, to amend such lien.

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,**

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