

### WAIVER

Date \_\_\_\_\_, 20\_\_\_\_

In consideration of the receipt of the amount of \$\_\_\_\_\_, the undersigned company waiving mechanic's lien or bond rights (waiving company) does waive, release and quitclaim only to the total amount of payments actually received without any bankruptcy filing for ninety days thereafter all mechanic's liens or bond interests pursuant to the laws of any state for labor and materials furnished in and about the repair or construction of improvements to, or upon, the following described Project:

The undersigned companies are aware of the mechanic's lien and payment bond(s) for labor and materials provided to the described Project, acknowledge the receipt of both mechanic's lien and payment bond claims, agree that the waiving company intended to promptly enforce in the absence of this payment, is expressly waiving in exchange for this payment, and intend that the next payment or credit received on this Project by the company accepting this waiver (accepting company) will be received as a result of this waiver to the extent of this waiver. The waiving company warrants that it has not and will not assign its interests and that the person executing this waiver is authorized to do so. The accepting company agrees that all funds received shall be held in trust for the benefit of the waiving company to the extent those funds result from the labor or materials supplied and agrees it has no interest in and to promptly pay all such funds to the waiving company, although those funds may be commingled.

COMPANY WAIVING  
MECHANIC'S LIEN OR BOND RIGHTS  
IN EXCHANGE FOR PAYMENT:

COMPANY ACCEPTING WAIVER OF  
MECHANIC'S LIEN OR BOND RIGHTS  
IN EXCHANGE FOR PAYMENT:

\_\_\_\_\_

\_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

(Title) \_\_\_\_\_

(Title) \_\_\_\_\_

STATE OF \_\_\_\_\_;  
COUNTY OF \_\_\_\_\_, to wit:

STATE OF \_\_\_\_\_;  
COUNTY OF \_\_\_\_\_, to wit:

Subscribed and sworn to before the undersigned,  
a Notary Public in and for the County and State  
aforesaid, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Subscribed and sworn to before the undersigned,  
a Notary Public in and for the County and State  
aforesaid, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

My commission expires: \_\_\_\_\_