

**UNCONDITIONAL WAIVER AND RELEASE
UPON PROGRESS PAYMENT**

CALIFORNIA CIVIL CODE SECTION 3262(d)(2)

The undersigned has been paid and has received a progress payment in the sum of \$ _____
for all labor, services, equipment or material furnished to _____ on the job of _____
(your customer)
_____ and does hereby release any mechanics' lien,
(job description)
stop notice, or bond right that the undersigned has on the above-referenced job to the following extent. This
release covers a progress payment for labor services, equipment, or materials furnished to _____
through _____ only and does not cover
(your customer) (date)
any retentions retained before or after the release date; extras furnished before the release date or which
payment has not been received; extras or items furnished after the release date. Rights based upon work
performed or items furnished under a written change order which has been fully executed by the parties prior
to the release date are covered by this release unless specifically reserved by the claimant in this release.
This release of any mechanics' lien, stop notice, or bond right shall not otherwise affect the contract rights,
including rights between parties to the contract based upon rescission, abandonment or breach of contract, or
the right of the undersigned to recover compensation for furnished labor, services, equipment or material
covered by this release if that furnished labor, services, equipment or material was not compensated by the
progress payment.

Dated: _____ By: _____
(Company Name)
(Signature)
(Title)

NOTICE: THIS DOCUMENT WAIVES RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN PAID FOR GIVING UP THOSE RIGHTS. THIS DOCUMENT IS ENFORCEABLE AGAINST YOU IF YOU SIGN IT, EVEN IF YOU HAVE NOT BEEN PAID. IF YOU HAVE NOT BEEN PAID, USE A CONDITIONAL RELEASE FORM.

NOTE CIVIL CODE 3262(d)(2) PROVIDES: If the claimant is required to execute a waiver and release in exchange for, or in order to induce payment of, a progress payment and the claimant asserts in the waiver it has, in fact been paid the progress payment, the waiver and release shall follows substantially the form set forth above.