

**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, stop notice, or bond right
(Job Description)
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 _____
(Your Customer)
through _____ only and does not cover any retentions retained before or after the
(date)
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.

(Company Name)

By: _____
(Signature)

(Title)

Date: _____

NOTICE TO PERSONS SIGNING THIS WAIVER:

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 CONITIONAL RELEASE FORM.

NOTE: CIVIL CODE 3262(d)(2) PROVIDES: Where 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.