



WHEN YOU HIRE DEVON, **IT'S DONE.**

INSTRUCTIONS FOR COMPLETION
OF WAIVERS



TYPES OF WAIVERS

The different types of waivers included on our form can be used as follows:

FULL UNCONDITIONAL WAIVER or WAIVER OF LIEN: This box will be checked when a subcontractor/supplier has completed the work in full and has been paid. The subcontractor's/supplier's statutory right to put a lien on the property is being fully waived. By the time the construction job is completed, Devon Title Agency should receive an original Full Unconditional Waiver from every subcontractor/supplier.

PARTIAL UNCONDITIONAL WAIVER: This box should be checked when a subcontractor or supplier receives partial payment for a portion of the work contracted for. Example: If Top-It-Off Roofing Co. has been paid \$1,200, is not currently owed money, but will be paid \$500 when the job is complete sometime in the future, they would sign a Partial Unconditional Waiver in the amount of \$1,200. When the company is paid the remaining \$500, a Full Unconditional Waiver will be signed.

FULL and PARTIAL CONDITIONAL WAIVERS: These boxes are checked when a subcontractor/supplier is currently owed money. The work has been either partially or fully completed but the subs have not been paid. Devon Title (or, in some cases, the lender) will cut a check directly to the subcontractor/supplier. If the check disbursed by Devon Title to the subcontractor will be the last payment made (the balance to complete is 0), a Full Conditional Waiver should be used. If the subcontractor will be owed money on future draws, a Partial Conditional Waiver will be signed. Again, when payment is made in full, Conditional Waivers must be followed by Full or Partial Unconditional Waivers of Lien.

WAIVER OF LIEN

My/our contract with: _____
to provide _____ for the
improvement to: _____.

(Check One)

PARTIAL CONDITIONAL

I hereby waive my/our construction lien to the amount of \$ _____, for labor/materials provided through _____. This waiver, together with all previous waivers, if any, does not cover all amounts due to me/us for contract improvement provided through the date shown above. **This waiver is conditioned on actual payment of \$ _____.**

PARTIAL UNCONDITIONAL

Having been fully paid and satisfied, I hereby waive my/our construction lien to the amount of \$ _____, for labor/materials provided through _____. This waiver, together with all previous waivers, if any, **does not** cover all amounts due to me/us for contract improvement provided through the date shown above.

FULL CONDITIONAL

I hereby waive my/our construction lien to the amount of \$ _____, for labor/materials provided through _____. This waiver, together with all previous waivers, if any, **does** cover all amounts due to me/us for contract improvement provided through the date shown above. **This waiver is conditioned on actual payment of \$ _____.**

FULL UNCONDITIONAL

Having been fully paid and satisfied, all my/our construction lien rights against such property are hereby waived and released.

If the owner or lessee of the property of the owner's or lessee's designee has received a notice of furnishing from me/one of us or if I/we are not required to provide one, and the owner, lessee or designee has not received this waiver directly from me/one of us, the owner, lessee, or designee may not rely upon it without contacting me/one of us, either in writing, by telephone or personally, to verify that it is authentic.

DATE: _____ SIGNATURE: _____

PHONE: _____

COMPANY: _____

ADDRESS: _____

DO NOT SIGN BLANK FORM

NOTICE OF COMMENCEMENT

Pursuant to the requirements of Section 108 of the Michigan Construction Lien Act, the undersigned, being duly sworn, gives Notice that :

1) The legal description of the real property on which the improvement is to be made is as follows:

Land situated in the _____, County of _____, State of MI

Commonly known as:

Tax Item No:

2) The Name, address, and capacity of the Owner/Lessee contracting for the improvement is:

Name:

Address:

Capacity:

3) The Name and address of the fee Owner of the above real property, if the person contracting for the improvement is a Land Contract Vendee or Lessee, is:

Name:

Address:

4) The Name and address of the General Contractor, if any, is:

Name:

Address:

5) The Name and address of the Owner's or Lessee's Designee upon whom all notices or other instruments are to be served is:

Name:

Address:

NOTICE OF COMMENCEMENT

6) To Lien Claimants and subsequent Purchasers:

TAKE NOTICE THAT WORK IS ABOUT TO COMMENCE ON AN IMPROVEMENT TO REAL PROPERTY DESCRIBED IN THIS INSTRUMENT. A PERSON HAVING A CONSTRUCTION LIEN MAY PRESERVE THE LIEN BY PROVIDING A NOTICE OF FURNISHING TO THE ABOVE NAME DESIGNEE AND THE GENERAL CONTRACTOR, IF ANY, AND BY TIMELY RECORDING A CLAIM OF LIEN, IN ACCORDANCE WITH LAW.

A PERSON HAVING A CONSTRUCTION LIEN ARISING BY VIRTUE OF WORK PERFORMED ON THIS IMPROVEMENT SHOULD REFER TO THE NAME OF THE OWNER OR LESSEE AND THE LEGAL DESCRIPTION APPEARING IN THIS NOTICE. A PERSON SUBSEQUENTLY ACQUIRING AN INTEREST IN THE LAND DESCRIBED IS NOT REQUIRED TO BE NAMED IN A CLAIM OF LIEN.

A COPY OF THIS NOTICE WITH AN ATTACHED FORM FOR NOTICE OF FURNISHING MAY BE OBTAINED UPON MAKING A WRITTEN REQUEST BY CERTIFIED MAIL TO THE ABOVE NAMED OWNER OR LESSEE, THE ABOVE NAMED DESIGNEE OR THE PERSON WITH WHOM YOU HAVE CONTRACTED.

7) Attached hereto is a blank Notice of Furnishing form.

State of Michigan
County of _____

BEFORE ME, the undersigned authority, on _____
personally appeared _____, the _____
_____, of _____, known
to me to be the person whose name is subscribed to the foregoing instrument, and acknowledges to
me that he executed the same for the purpose and consideration therein expressed, in the capacity
therein stated and as the act and deed of said association.

Notary Public

County
My commission expires: _____

Drafted by:
Under the direction of:

When recorded return to:

File No: