

 **PUTRELO**
BUILDING ENTERPRISES
FINAL RELEASE AND WAIVER OF LIENS AND CLAIMS

Certificate and Affidavit made this _____ day of _____, 20____, by _____, a subcontractor/supplier to Putrelo Building Enterprises, Inc. under a subcontract /purchase order dated the _____ day of _____, 20____, with respect to work on a Project known as

KNOW ALL MEN BY THESE PRESENTS:

1. The undersigned hereby certifies that there is due and payable under the above-referenced subcontract/purchase order and duly approved change orders thereto and modifications thereof the undisputed balance of \$ _____ and agrees that this is the last payment due.
2. The undersigned further certifies that all work required under this subcontract/purchase order including all work required under change orders thereto has been performed in accordance with the terms thereof, and that there are no claims of laborers or mechanics for unpaid wages arising out of the performance of this subcontract/purchase order and the wages paid by the subcontractor and all of his subcontractors were in conformity with the subcontract/purchase order provisions relating to said wages.
3. Except for the amount stated in paragraph 1 hereof, the undersigned has received from Putrelo Building Enterprises, Inc. all sums of money payable to the undersigned under or pursuant to the aforementioned subcontract/purchase order, including any changes or modifications thereof.
4. That in consideration of the payment of the amount stated in paragraph 1 hereof, the undersigned does hereby release Putrelo Building Enterprises, Inc. from any and all claims arising under or by reason of this subcontract/purchase order and does for itself and its successors and assigns hereby waive, release and relinquish any and all right of liens against and claims for said work performed or materials furnished, including all manner of action an actions, cause and causes of action, suits, debts, dues, sums of money, accounts, reckoning, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims and demands whatsoever, in law or in equity, which against the said assigns, hereafter can, shall or may have for, upon or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of these presents; provided, however, that if for any reason Putrelo Building Enterprises, Inc. does not pay in full the amount stated in paragraph 1 hereof, said deduction shall not affect the validity of this release but the amount so deducted shall be released upon payment thereof.
5. That as additional consideration for this full and final payment the undersigned agrees that, should any subcontractor, material man, laborer or anyone performing any service by or through the undersigned file any lien or make any claim for any additional payment after the date hereof, that the undersigned shall bond or otherwise discharge any liens so filed and shall indemnify and hold Putrelo Building Enterprises, Inc. and the owner harmless from any and all claims raised by any such person subsequent to the date hereof.
6. The undersigned hereby grants Putrelo Building Enterprises, Inc. the right to review and audit any and all books and records of the undersigned at any time for verification.
7. The undersigned hereby represents that it has properly applied all finds received for valid trust purposes before using funds for any other purposes. In addition, the undersigned represents that, if the undersigned has collective bargaining agreements with any union, all fringe benefits that are required to be paid on the project have been paid.
8. This release and waiver may not be changed orally.

CERTIFICATE OF THE SUBCONTRACTOR OR SUPPLIER: FALSE STATEMENTS MAY FORM THE BASIS FOR PERJURY.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument the _____ day of _____, 20_____.

(company seal)

(Name of Subcontracting entity)

By: _____

Attest here if Subcontracting entity is a corporation:

STATE OF NEW YORK)
) SS:
County of _____)

On the _____ day of _____, 20____, before me the subscriber, came _____, to me known, who being by me duly sworn on oath, did depose and say that: he resides in _____, and that he is the _____ (Title) of _____ (name of entity), the company described in, and which executed, the foregoing final release and waiver of liens and claims and that he signed his name thereto by order of the Board of Directors; and that he has read the foregoing final receipt and waiver of liens and claims by him subscribed.

Under the penalties and pains of perjury, affiant further states that the matters and things stated therein are, to the best of his knowledge and belief, true.

(Signature of Affiant)

Subscribed and sworn to me
This _____ day of _____, 20____.

Notary Public

Attest here if Subcontracting entity is a partnership:

STATE OF NEW YORK)
) SS:
County of _____)

On the _____ day of _____, 20____, before me the subscriber, came _____, to me known, who being by me duly sworn on oath, did depose and say that: he resides in _____, and that he is a partner of _____ (name of entity), the partnership described in, and which executed, the foregoing final release and waiver of liens and claims and that he signed his name thereto with authority duly vested in him as a partner in said partnership; and that he has read the foregoing final receipt and waiver of liens and claims by him subscribed.

Under the penalties and pains of perjury, affiant further states that the matters and things stated therein are, to the best of his knowledge and belief, true.

(Signature of Affiant)

Subscribed and sworn to me
This _____ day of _____, 20____.

Notary Public

Attest here if Subcontracting entity is an individual:

STATE OF NEW YORK)
) SS:
County of _____)

On the _____ day of _____, 20____, before me the subscriber, came _____, to me known, who being by me duly sworn on oath, did depose and say that: he resides in _____, and that he executed the foregoing final release and waiver of liens and claims and that he signed his name thereto; and that he has read the foregoing final receipt and waiver of liens and claims by him subscribed.

Under the penalties and pains of perjury, affiant further states that the matters and things stated therein are, to the best of his knowledge and belief, true.

(Signature of Affiant)

Subscribed and sworn to me
This _____ day of _____, 20____.

Notary Public

Attest here if Subcontracting entity is an LLC:

STATE OF NEW YORK)
) SS:
County of _____)

On the _____ day of _____, 20____, before me the subscriber, came _____, to me known, who being by me duly sworn on oath, did depose and say that: he resides in _____, and that he is a [circle one] Member / General Manager of _____, LLC [name of entity], the company described in, and which executed, the foregoing final release and waiver of liens and claims and that he signed his name thereto with authority duly vested in him by said company's operating agreement; and that he has read the foregoing final receipt and waiver of liens and claims by him subscribed.

Under the penalties and pains of perjury, affiant further states that the matters and things stated therein are, to the best of his knowledge and belief, true.

(Signature of Affiant)

Subscribed and sworn to me
This _____ day of _____, 20____.

Notary Public