Form 51-9

This form is based on the form found in Tex. Prop. Code § 53.284(c). If a contractor (or other potential lien claimant) is required to execute an unconditional waiver and release to prove the receipt of good and sufficient funds for a progress payment and the claimant or potential claimant asserts in the waiver and release that the claimant or potential claimant has been paid the progress payment, the waiver and release must read as follows. The form must include the notice at the top of the document.

Unconditional Partial Release During Construction

NOTICE: This document waives rights unconditionally and states that you have been paid for giving up those rights.   It is prohibited for a person to require you to sign this document if you have not been paid the payment amount set forth below. If you have not been paid, use a conditional release form.

Project: **NAME OF ADMINISTRATOR**, **HOUSEHOLD NAME**, **PROPERTY ADDRESS**

Job No.: **CONTRACT NUMBER**-**ACTIVITY NUMBER**

The signer of this document has been paid and has received a progress payment in the sum of  $**AMOUNT IN DOLLARS AND CENTS** for all labor, services, equipment, or materials furnished to the property or to   **NAME OF PERSON WITH WHOM SIGNER CONTRACTED** on the property of   **HOUSEHOLD/OWNER NAME** located at   **PROJECT STREET ADDRESS,** **PROJECT CITY, TEXAS,****PROJECT ZIP CODE** to the following extent : **BRIEFLY DESCRIBE JOB PERFORMED**. The signer therefore waives and releases any mechanic’s lien right, any right arising from a payment bond that complies with a state or federal statute, any common-law payment bond right, any claim for payment,   and any rights under any similar ordinance, rule, or statute related to claim or payment rights for persons in the signer’s  position that the signer has on the above-referenced project to the following extent:

This release covers a progress payment for all labor, services, equipment, or materials furnished to the property or to  **NAME OF PERSON WITH WHOM SIGNER CONTRACTED** as indicated in the attached statement[s] or progress payment request[s], except for unpaid retention, pending modifications and changes, or other items furnished.

The signer warrants that the signer has already paid or will use the funds received from this progress payment to promptly pay in full all of the signer’s laborers, subcontractors, materialmen, and suppliers for all  work, materials, equipment, or services provided for or to the above-referenced project in regard to the attached statement[s] or progress payment request[s].

Date

**COMPANY NAME**

By

 **NAME**, **TITLE**