

## WAIVER AND AFFIDAVIT COMPLETION INSTRUCTIONS

The following information is being provided in an effort to minimize the delays caused by incomplete or improperly completed waivers or contractor's affidavit forms. If you are familiar with the preparation of these forms, then no further reading is necessary. If not, we suggest you read and comply with the information as provided below.

The forms titled Partial Waiver or Final Waiver, which are printed and provided by Chicago Title Insurance Company upon request are in reality two forms each. The Partial Waiver form is a Waiver of Lien to Date form and a Contractor's Affidavit form. The Final Waiver form is a Final Waiver of Lien form and a Contractor's Affidavit form. You must complete and sign both the waiver section and the affidavit section on each form before you submit the form to Chicago Title. The signature on the affidavit section of the form must be notarized. A failure to fully complete each section of the form could result in a delay in the processing of a construction draw request.

### WAIVER OF LIEN SECTION

- Section 1. Enter Chicago Title Insurance Company's file number or Chicago Title & Trust Company's escrow number, if known.
2. Enter the name of the party you contracted with for the service to be performed. Review your contract for correct name, if necessary.
3. Enter the service or materials you agreed to perform or supply (type of work).
4. Enter the complete street address or a sufficient legal description to identify the property, if vacant.
5. Enter the name of the record owner of the property.
6. Enter the dollar amount of this payment, spelled out in words.
7. Enter the same dollar amount of this payment, written in numbers.
8. Date the waiver.
9. Enter the name and address of your company or business; sign the waiver and state your title (i.e. owner, president, partner, etc.).

### CONTRACTOR'S AFFIDAVIT SECTION

- Section 1. Enter your name.
2. Identify your position held in the company (i.e., owner, president, partner, etc.).
3. Enter your company or business name.
4. Enter the service or materials you agreed to perform or supply (type of work).
5. Enter the complete street address or a sufficient legal description to identify the property, if vacant.
6. Enter the name of the record owner of the property.
7. Enter the total contract amount, written in numbers, INCLUDING ALL EXTRAS AND CHANGE ORDERS, BOTH ORAL AND WRITTEN.
8. Enter the total amount of all payments you previously received, written in numbers. If you previously received nothing, use "0".

- 9. Identify all subcontractors and materialmen with whom your company has contracted for labor, materials, or supplies for the project.

For each subcontractor or materialman listed:

- a. Describe the type of work performed or the materials supplied by the sub-subcontractor or materialman;
- b. Enter the total amount of the subcontract, including change orders, both oral and written.
- c. Enter the total amount of all payments previously made to the subcontractor or materialman, and attach waivers for those payments;
- d. Enter the total amount of the current payment to the subcontractor or materialman, and attach a waiver for the payment;
- e. Enter the balance due under the subcontract; and
- f. Total all columns.

If no subcontractors or materialmen are hired, because all materials were taken from fully paid stock, the following statement must be made:

"My suppliers are:

Name	Address

All material taken from fully paid stock and delivered to job site in my/our own truck."

Enter "0" in the Balance Due column for each supplier listed.

If there are no subcontracts for labor, then the following statement must be made (refers to your employees):

"All labor is paid."

- 10. Date the affidavit.
- 11. Sign the affidavit.
- 12. Have a notary date, sign and seal the affidavit.