

## Conditional Waiver and Release Upon Final Payment

Use this form when the claimant is required to execute a waiver and release in exchange for or in order to induce the payment of a final payment and the claimant has not been paid. This release is only binding if there is evidence of payment to the claimant. Evidence of payment may be demonstrated by:

- the claimant's endorsement on a single check or a joint payee check which has been paid by the bank upon which it was drawn; or
- written acknowledgment of payment given by the claimant.

### CONDITIONAL WAIVER AND RELEASE UPON FINAL PAYMENT

Civil Code Section 3262(d)(3)

Upon receipt by the undersigned of a check from \_\_\_\_\_  
MAKER OF CHECK

in the sum of \$ \_\_\_\_\_ payable to \_\_\_\_\_  
AMOUNT OF CHECK PAYEE OR PAYEES OF CHECK

and when the check has been properly endorsed and has been paid by the bank upon which it is drawn, this document shall become effective to release any mechanic's lien, stop notice, or bond right the undersigned has on the job of \_\_\_\_\_  
OWNER

located at \_\_\_\_\_  
JOB DESCRIPTION

This release covers the final payment to the undersigned for all labor, services, equipment, or material furnished on the job, except for disputed claims for additional work in the amount of \$ \_\_\_\_\_.

Before any recipient of this document relies on it, the party should verify evidence of payment to the undersigned.

Dated: \_\_\_\_\_  
COMPANY NAME

By \_\_\_\_\_  
TITLE

NOTE: This form of release complies with the requirements of Civil Code Section 3262(d)(3). It is not effective until the check that constitutes final payment has been properly endorsed and has cleared the bank.