

TO THE CLERK, COUNTY OF: _____

NOTICE OF UNPAID BALANCE AND RIGHT TO FILE LIEN

In accordance with the "Construction Lien Law," P.L.1993, c. 318 (C.2A:44A-1 et al.), notice is hereby given that:

1. _____ (Name of claimant), individually or as a partner of the claimant known as (Name of partnership), or an officer/member of the claimant known as (Name of corporation or LLC) (Please circle one and fill in name as applicable) located at _____ (Business address of claimant) has on _____ (date) a potential construction lien against the real property of _____ (name of owner of property subject to lien), in that certain tract or parcel of land and premises described as Block _____, Lot _____, on the tax map of the (municipality) of _____, County of _____, State of New Jersey, in the amount of (\$ _____), as calculated below for the value of the work, services, material or equipment provided. (If claim is against a community association in accordance with section 3 of P.L.1993, c. 318 (C.2A:44A-3), set forth the name of the community association and the name and location of the property development.) The lien is to be claimed against the interest of the owner, unit owner, or other party, or against the community association (circle one; if "other", describe: _____).

2. The work, services, material or equipment was provided pursuant to the terms of a written contract (or, in the case of a supplier, a delivery or order slip signed by the owner, community association, contractor, or subcontractor having a direct contractual relation with a contractor, or an authorized agent of any of them), dated _____, between _____ (claimant) and owner, unit owner, community association, contractor or subcontractor (circle one), named or known as _____ (name of contracting party) and located at _____ (address of other contracting party), in the total contract amount of (\$ _____) together with (if applicable) amendments to the total contract amount aggregating (\$ _____).

3. In accordance with the above contract, this claimant performed the following work or provided the following services, material or equipment:

a: _____

b: _____

c. _____ etc.

4. The date of the provision of the last work, services, material or equipment for which payment is claimed is _____ (date.)

5. The amount due for work, services, material or equipment provided by claimant in connection with the improvement of the real property, and upon which this lien claim is based is calculated as follows:

A. Initial Contract Price: \$ _____

B. Executed Amendments to Contract Price/Change Orders: \$ _____

C. Total Contract Price (A + B) = \$ _____

D. If Contract Not Completed, Value Determined in Accordance with Contract of Work Completed or Services, Material or Equipment Provided: _____

E. Total from C or D (whichever is applicable): \$ _____

F. Agreed upon Credits: \$ _____

G. Amount Paid to Date: \$ _____

TOTAL LIEN CLAIM AMOUNT E - [F + G] = \$ _____

6. The written contract (is) (is not) (cross out inapplicable portion) a residential construction contract as defined in section 2 of P.L.1993, c. 318 (C.2A:44A-2).

7. This notification has been lodged for record prior or subsequent to completion of the work, services, material or equipment as described above. The purpose of this notification is to advise the owner or community association and any other person who is attempting to encumber or take transfer of said property described above that a potential construction lien may be lodged for record within the 90-day period, or in the case of a residential construction contract within the 120-day period, following the date of the provision of the last work, services, material or equipment as set forth in paragraph 4 of this notice.

CLAIMANT'S REPRESENTATION AND VERIFICATION

Claimant represents and verifies that:

1. I have authority to file this Notice of Unpaid Balance and Right to File Lien.
2. The claimant is entitled to the amount claimed herein at the date this Notice is lodged for record, pursuant to claimant's contract described in the Notice of Unpaid Balance and Right to File Lien.
3. The work, services, material or equipment for which this Notice of Unpaid Balance and Right to File Lien is filed was provided exclusively in connection with the improvement of the real property which is the subject of this Notice of Unpaid Balance and Right to File Lien.
4. The Notice of Unpaid Balance and Right to File Lien has been lodged for record within 90 days, or in the case of a residential construction contract within 60 days, from the last date upon which the work, services, material or equipment for which payment is claimed was provided.
5. The foregoing statements made by me are true, to the best of my knowledge.

Signed

Name of Claimant

(Type or Print Name and Title)

SUGGESTED NOTARIAL FOR INDIVIDUAL CLAIMANT:

STATE OF NEW JERSEY

COUNTY OF _____ ss:

On this _____ day of _____ 20_____, before me, the subscriber, personally appeared _____ (person signing on behalf of claimant(s)) who, I am satisfied, is/are the person(s) named in and who executed the within instrument, and thereupon acknowledged that claimant(s) signed, sealed and delivered the same as claimant's (s') act and deed, for the purposes therein expressed.

NOTARY PUBLIC

SUGGESTED NOTARIAL FOR CORPORATE OR LIMITED LIABILITY CLAIMANT:

STATE OF NEW JERSEY

COUNTY OF _____ ss:

On this _____ day of _____ 20_____, before me, the subscriber, personally appeared _____ (person signing on behalf of claimant(s)) who, I am satisfied is the Secretary (or other officer/manager/agent) of the Corporation (partnership or limited liability company) named herein and who by me duly sworn/affirmed, asserted authority to act on behalf of the Corporation (partnership or limited liability company) and who, by virtue of its Bylaws, or Resolution of its Board of Directors (or partnership or operating agreement) executed the within instrument on its behalf, and thereupon acknowledged that claimant signed, sealed and delivered same as claimant's act and deed, for the purposes herein expressed.

NOTARY PUBLIC

Reproduced word for word from the form in N.J.S.A. 2A:44A-20(b). Two things about this sheet are worth knowing. The published code carries, above the form, a block of money lines headed Total contract amount that is the pre-2010 version of the calculation and is not part of the form the statute prints today; the current lettered version, A through G, is on this sheet and that older block is not. And two blanks in the statute are set closed up against the word in front of them, so a space was put in front of the answer and nothing else was touched. This is not legal advice.