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How to Complete a California Release of Mechanic's Lien

Clearing a Recorded Lien From Property Title After Payment

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR RELEASE OF MECHANIC'S LIEN.

About this form. When a contractor, subcontractor, supplier, or worker records a **mechanic's lien** on a property and is later paid, the lien stays on the title until a **release** is recorded. This form lets the lien claimant release the lien in full, or in part, so the owner can sell or refinance. It must be notarized before the County Recorder will record it.

1. **Get the recorded lien**
   Copy the county, recording date, document number, owner name, and amount exactly from the recorded claim of lien. The County Recorder can provide a copy.
2. **Fill in the claimant and property**
   The claimant is the person or company that recorded the lien. Copy the property description from the lien or the deed.
3. **Choose full or partial release**
   Most releases are in full after payment. Use a partial release only to release part of the property or reduce the amount.
4. **The claimant signs in front of a notary**
   Do **not** sign ahead of time. A company signs through an authorized officer, who states the company name and title. Bring a current government-issued photo ID. We come to your job site, office, or home.
5. **Record the release**
   Record the notarized release in the county where the property is located. Recording fees apply; mark the $75 fee box that fits.
6. **Give the owner a copy**
   Send the property owner (and any escrow or title company) a copy of the recorded release.

Good to Know

- This is different from the conditional and unconditional lien **waivers** used for progress payments (Civil Code §§ 8132–8138).
- If a claimant was paid but will not release the lien, the owner may be able to ask a court to release it (Civil Code § 8480).
- Unenforced liens can also expire if no lawsuit is filed in time. An attorney can advise on a specific lien.

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SCAN TO BOOK

Questions about this document? Talk to an attorney. Gavrilov & Brooks Law Firm has attorneys licensed in California, Nevada, and other states. Phone and video consultations are available. **(916) 504-0529** · **www.gavrilovlaw.com**

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YOUR FORM BEGINS ON THE NEXT PAGE

Recording Requested By:

_____

When Recorded Mail This Document To:

Name: _____

Address: _____

City, State, ZIP: _____

Space Above This Line For Recorder's Use

RELEASE OF MECHANIC'S LIEN

(California Civil Code Sections 8400–8494)

_____ _____

Assessor's Parcel Number (APN) Job / Invoice No. (if any)

DECLARATION OF EXEMPTION FROM GOV. CODE § 27388.1 FEE (Building Homes and Jobs Act)

☐ Exempt per GC § 27388.1(a)(2): recorded "in connection with" a transfer of a residential dwelling to an owner-occupier

☐ Exempt per GC § 27388.1(a)(1): fee cap of $225 reached

☐ Not exempt — fee to be paid at recording

1. Claimant. The undersigned lien claimant:

_____ _____

(name of claimant — contractor, subcontractor, supplier, or laborer) (phone)

_____

(claimant's address)

2. Lien being released. The claimant recorded a mechanic's lien (claim of lien) in the Office of the County Recorder of:

_____ _____ _____

(county) (recording date) (document / instrument number)

_____ _____

(name of property owner or reputed owner, as shown in the lien) (amount of the lien)

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3. The property described in the lien is located at:

(street address of the dwelling)	(city, or "unincorporated area")	(county)

LEGAL DESCRIPTION

Copy exactly from the deed. If it does not fit, write "See Exhibit A attached" and attach it.

4. Release (mark one):

☐ **Full release.** The claimant releases the mechanic's lien described above **in full**, and releases the property from it.

☐ **Partial release.** The claimant releases the mechanic's lien described above only as to the following part of the property or amount; the rest of the lien remains in effect:

(describe the part of the property released, or the amount by which the lien is reduced)

Dated: _____

(signature of claimant or authorized signer)	(signature of second authorized signer, if any)
(printed name)	(printed name)

If signing for a company: company name and signer's title

Sign in front of the notary public, who will complete the acknowledgment on the next page.

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CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of _____)

On _____ before me, _____

(here insert name and title of the officer)

personally appeared _____

, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)

Signature _____

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