

PRO CONSTRUCTION, INC.

2nd/3rd TIER SUB-SUBCONTRACTOR / MATERIAL SUPPLIER

PARTIAL WAIVER OF CLAIMS

Upon receipt of \$ _____ (monies owed), the undersigned waives and releases any and all rights, demands and claims, including delay and impact claims, including any right to a materialman's or mechanic's lien or any Miller act claim against PRO CONSTRUCTION, INC., its Surety, the project's Owner, the Owner's property and any Construction Lender arising out of its furnishing of labor and/or materials to or for the improvement of the following:

Contract with and project:

As of the date hereof _____ (date).

The undersigned certifies that all of its subcontractors, material and equipment suppliers, employees on the project, obligations for all local, state and federal taxes, damages to others which have been caused or claimed to be caused by the undersigned or which have arisen in connection with the performance of the Work by the undersigned have already been paid or will be paid in full through the above date.

The undersigned further agrees to indemnify and hold harmless PRO CONSTRUCTION, INC. from and against any and all losses, claims damages and expenses, including attorney's fees which any or all of said indemnities may incur or become liable for as a result of any lien, bond or Miller Act claim arising out of or in connection with the said work performed by the undersigned.

IN WITNESS WHEREOF, this instrument has been executed on behalf of the undersigned by its duly authorized representative, this _____ day of _____, 20____.

(Subcontractor/Supplier)

By: _____

Its: _____

Sworn to and subscribed before me

This _____ day of _____, 20____

NOTARY PUBLIC

My commission expires: _____

SUBCONTRACTOR _____

MATERIAL SUPPLIER _____

SUB-SUB _____