

HELP SHEET
MECHANIC'S LIEN

Any person claiming a lien on real property shall file with the Clerk of the District Court of the county in which property is located. A contractor must file within four months, subcontractor must file within three months after the date material, equipment or supplies used or consumed was last furnished or last labor performed under the contract a **verified statement** showing:

1. The name of the owner of the real estate.
2. The name of the contractor, subcontractor or supplier.
3. The name and address of the claimant (person filing claim).
4. The legal description of the real estate, which can be obtained from Register of Deeds, <https://ims.jocogov.org/locationservices/>
5. **An itemized statement, bill or contract should be attached.**
6. We must have the FILING FEE \$36.00 (\$14.00 FEE + \$22.00 SURCHARGE) before filing. Keep your receipt, you will need the case number listed.
7. In some instances an Affidavit may be required.
8. A Release of Mechanics Lien, containing information from items 1, 3 and 4 should be filed when payment is received. You must list the case number from the receipt on this document.

NOTICE OF INTENT TO PERFORM

“NEW RESIDENTIAL PROPERTY” - The notice of intent to perform provided for in KSA 60-1103b is limited to “new residential property” which is defined as “a new structure which is constructed for use as a residence and which is not used or intended for use as a residence for more than two families or for commercial purpose. “New residential property” does not include any improvement of a preexisting structure or construction an any addition, garage or outbuilding appurtenant to a preexisting structure.” KSA 60-1103 (a)

The lien for the furnishing of labor, equipment, materials or supplies for the construction of new residential property may be claimed pursuant to KSA 60-1103 after the passage of title to such new residential property to a good faith purchaser for value only if the claimant has filed a notice of intent prior to the recording of the deed effecting passage of title to such new residential property. KSA 60-1103 It should contain:

1. The name of the owner of the real estate
2. The name and address of the contractor, subcontractor, or supplier
3. The legal description of the real estate, which can be obtained from Register of Deeds, Room 108 in the Shawnee County Courthouse.
4. A statement that the subcontractor, contractor, or supplier is providing materials or labor on the property.
5. We must have the FILING FEE \$36.00 (\$14.00 FEE + \$22.00 SURCHARGE) before filing. Keep your receipt, you will need the case number to file the release.
6. **RELEASE OF NOTICE OF INTENT TO PERFORM 60-1103**

Upon payment in full by any claimant who has filed a notice of intent to perform pursuant to KSA 60-1103b and c, a release must be filed as required by KSA 60-1103 b (d) and (e). Under KSA 60-1103 b(f) notwithstanding the requirements of subsections (d) and (e), a notice of intent to perform shall be of no force and effect after expiration of 19 months from the date of filing the same, unless within such time the claimant has filed a lien pursuant to KSA 60-1101 and 60-1103 and amendments thereto.

Release of Notice of Intent to Perform, containing items 1, 2, and 3 should be filed when payment is received. List the case number from your receipt.

EMPLOYEES IN THE OFFICE OF THE CLERK OF THE DISTRICT COURT CANNOT GIVE YOU ANY LEGAL ADVICE BY ORDER OF THE SUPREME COURT OF KANSAS. THEY CANNOT TELL YOU HOW TO COMPLETE FORMS, HOW TO PROCEED, OR WHAT YOU NEED TO FILE. YOU MAY BE ABLE TO GET ANSWERS TO QUESTIONS THROUGH: ACCESS TO JUSTICE ADVICE LINE 1-800-675-5860 OR CHECK THE SELF HELP INFORMATION AT www.kscourts.org

**MECHANIC LIEN
STATEMENT OF CONTRACTOR OR SUBCONTRACTOR
K.S.A. 60-1101, ET SEQ**

Amount of Claim _____
(An itemized statement of said claim is attached.)

Name of Real Estate Owner _____

Name of Supplier/Contractor _____

Name of Sub-Contractor _____

Name of Claimant _____

Claimant /Business Address _____ City _____ State _____ Zip Code _____ Phone _____

Legal Description of Property _____

The said _____ contractor sub-contractor
claims a lien upon the above described property/premises on account of _____
_____ as set forth in the itemized
statement hereto attached, which was by said contractor or sub-contractor, performed and furnished
for and was applied to and was used in the _____
on said property/premises under a contract with _____
_____ who is the owner thereof.

The date upon which said work was last performed by claimant was the _____ day of
_____, _____, and the date upon which said materials were last furnished by
claimant was the _____ day of _____, _____.

CLAIMANT'S SIGNATURE

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public Clerk or Deputy Clerk

EXAMPLE FORM-DO NOT FILE

**MECHANIC LIEN
STATEMENT OF CONTRACTOR OR SUBCONTRACTOR
K.S.A. 60-1101, ET SEQ**

Amount of Claim HOW MUCH IS OWED PER INVOICE
(An itemized statement of said claim is attached.)

Name of Real Estate Owner WHO OWNS THE PROPERTY (DEFENDANT)

Name of Supplier/Contractor NAME OF SUPPLIER/CONTRACTOR

Name of Sub-Contractor NAME OF SUB (OPTIONAL)

Name of Claimant NAME OF WHO IS FILING (SAME AS SUPPLIER, CONTRACTOR OR SUB (DEFENDANT))
FILING PERSON'S ADDRESS

Claimant /Business Address _____ City _____ State _____ Zip Code _____ Phone _____

Legal Description of Property DO NOT USE ADDRESS, LOOK UP AT:
<https://ims.jocogov.org/locationservices/>

The said NAME OF WHO IS FILING contractor sub-contractor

claims a lien upon the above described property/premises on account of WHY IS THIS LIEN
BEING FILED? _____ as set forth in the itemized

statement hereto attached, which was by said contractor or sub-contractor, performed and furnished

for and was applied to and was used in the SERVICES/MATERIALS

on said property/premises under a contract with WHO OWNS THE PROPERTY
_____ who is the owner thereof.

The date upon which said work was last performed by claimant was the _____ day of _____, _____, and the date upon which said materials were last furnished by claimant was the _____ day of _____, _____.

WAIT TO SIGN IN FRONT OF A NOTARY
CLAIMANT'S SIGNATURE

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public Clerk or Deputy Clerk

**RELEASE OF MECHANIC'S LIEN
NO. _____ AND WAIVER OF LIEN**

I, _____
(Name of supplier, subcontractor or contractor)

of _____
(Address of supplier, subcontractor or contractor)

do hereby acknowledge that I filed the Mechanic's Lien No. _____ covering property owned by
_____ and having the legal description as follows:
(Name of property owner)

(Legal Description)

In consideration of the sum of \$ _____, the receipt of which is hereby acknowledged, I hereby
direct the Clerk of the District Court of Shawnee County, Kansas to release the subject mechanic Lien and do hereby
waive and relinquish any statutory right to a lien for the furnishing of labor, equipment, materials or supplies to the
above-described real estate under the statutes of the state of Kansas.

(Signature)

(Business name)

(Business address)

(City, State, Zip Code)

(Phone Number)

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public Clerk or Deputy Clerk

NOTICE OF INTENT TO PERFORM

K.S.A. 60-1103 (b)

I, _____ of _____ do hereby give public notice that I am a supplier, subcontractor or contractor or other person providing materials or labor on property owned by:

and having a legal description as follows: _____

(Signature)

(Business name)

(Business address)

(City, State, Zip Code)

(Phone Number)

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public Clerk or Deputy Clerk

**RELEASE OF NOTICE OF INTENT TO PERFORM
NO. _____ AND WAIVER OF LIEN**

I, _____
(Name of supplier, subcontractor or contractor)

of _____
(Address of supplier, subcontractor or contractor)

do hereby acknowledge that I filed notice of Intent to perform No. _____ covering property owned by
_____ and having the legal description as follows:
(Name of property owner)

(Legal Description)

In consideration of the sum of \$ _____, the receipt of which is hereby acknowledged, I hereby direct the Clerk of the District Court of Shawnee County, Kansas to release the subject notice of intent to perform and do hereby waive and relinquish any statutory right to a lien for the furnishing of labor, equipment, materials or supplies to the above-described real estate under the statutes of the state of Kansas.

(Signature)

(Business name)

(Business address)

(City, State, Zip Code)

(Phone Number)

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public Clerk or Deputy Clerk