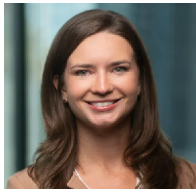


# Conditional Release of Lien (Mechanic's Lien) (AL)

A Practical Guidance® Template by David W. Owen, Katelyn E. Carson and Zachary B. Stewart,  
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amount, with fields for the release date and, for a partial release, a stated retention amount. It contains representations and warranties regarding payment of parties furnishing labor or materials through the releasing party (with space for exceptions), and a representation of the signer's authority to bind the releasing party. The operative release language covers waiver and release of lien rights against the project and improvements, with the scope keyed to whether the release is partial or final. It also includes optional provisions expanding the release to broader claims (with listed exceptions) and an optional defense and indemnity/hold harmless provision relating to downstream compensation claims. Execution components include signature blocks and a verification section with notary acknowledgment fields.

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This template is a conditional release of mechanic's lien for use on an Alabama construction project, structured as a form instrument with fillable fields for the subcontractor, contractor, owner, and project information, and it designates the signing party as the releasing party. It includes a release-type election that distinguishes between a partial release and a final release through checkbox selection.

The template addresses a conditional payment framework in which the release is tied to receipt of a stated payment

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### **David W. Owen, Partner, Bradley Arant Boulton Cummings LLP**

David Owen has over 30 years of experience in the construction and engineering industries. He serves as the practice group leader for Bradley's Construction Practice Group.

David is a registered professional engineer and practices in the construction, energy and government contracts areas. He is a Fellow in the American College of Construction Lawyers. He is recognized by *The Best Lawyers in America*<sup>®</sup> for construction law and was named "Lawyer of the Year" for Construction in Birmingham (2013). He is proud of Bradley's recognition as the nation's "Law Firm of the Year" for Construction Law in the 2018, 2020 and 2022 editions and for Litigation - Construction in the 2023 edition of *Best Lawyers/U.S. News & World Report Best Law Firms*. David also is a BTI Client Service All-Star, which is recognition from corporate counsel for his "superior client service combining exceptional legal expertise with practical advice, business savvy, and innovative, effective solutions."

As part of his national and international practice, David advises clients on multibillion-dollar mega-projects where disputes exceed several hundred million dollars. David represents owners, contractors, subcontractors, construction managers and designers in private and government contract matters. He has significant experience with petrochemical, LNG, automobile manufacturing facilities, EPC projects, solar facilities, wind projects, biomass projects, fossil-fueled generation facilities, complex tunneling projects, activated carbon plants, steel fabrication, hydroelectric generation, mass transit, rare earth metals mining, deep foundations, slope stability, retaining walls, dams, water treatment, bridges, infrastructure and concrete structures.

### **Katelyn E. Carson, Associate, Bradley Arant Boulton Cummings LLP**

Katelyn Carson is an associate in the firm's Construction Practice Group.

Prior to joining the firm, Katelyn clerked for the Hon. Annemarie C. Axon and the Hon. Anna M. Manasco of the U.S. District Court for the Northern District of Alabama. She earned her J.D. (*summa cum laude*) from the University of Alabama School of Law, where she served as a senior editor of the *Alabama Law Review*. Katelyn also received a B.A. (*magna cum laude*) in Political Science from Auburn University.

### **Zachary B. Stewart, Associate, Bradley Arant Boulton Cummings LLP**

Zachary Stewart is an associate in the firm's Construction Practice Group, where he represents all parties in the construction process, including project owners, general contractors, and subcontractors in contract negotiation, project administration, and dispute resolution. Zachary understands that clients are in the business of making a profit rather than engaging in legal disputes. He is committed to helping every client reach an effective (and efficient) resolution to their legal matters.

Zachary attended law school to become a construction lawyer. While in college, he worked for Robins & Morton on a large hospital construction project in Roanoke, Virginia. During law school, Zachary worked on B.L. Harbert International's in-house legal team, where he routinely negotiated federal and private construction contracts.

He received his J.D. (*summa cum laude*) from the University of Alabama School of Law and his B.S. in Commerce & Business Administration (*summa cum laude*), with a major in Operations Management, from the University of Alabama.

Zachary also authored *A New Alabama Construction Indemnity Regime*, published in Volume 75 of the *Alabama Law Review*, which discusses Alabama's law on construction indemnity clauses.

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