

# Notice to Owner and Contractor

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**TO: PROPERTY OWNER** (Name & Address)

**NOTIFYING PARTY** (Name & Address)

**TO: PRIME CONTRACTOR** (Name & Address)

Services, labor, materials, equipment and/or work provided by the Notifying Party (“**SERVICES**”):

**HIRING PARTY**

(Name & Address of party who hired the Notifying Party)

**SERVICES** were supplied in the improvement and/or construction of real property described as follows (the “**PROPERTY**”):

**AMOUNT OF CLAIM:**

\$ \_\_\_\_\_

THE NOTIFYING PARTY has supplied the materials and/or labor above-described as the **SERVICES**. The **SERVICES** were provided to the above-described **PROPERTY**,

owned by the above-identified PROPERTY OWNER, pursuant to a contract between the NOTIFYING PARTY and the HIRING PARTY.

After all just credits and offsets, the sum above-identified as the AMOUNT OF CLAIM is currently due and owing to the NOTIFYING PARTY. You are hereby notified that the NOTIFYING PARTY has a right to claim a lien against the PROPERTY and its improvements if the sum is not paid, as described in the below NOTICE TO PROPERTY OWNER.

You are further notified that if this claim is not paid within ten (10) days from the mailing of this Notice, the NOTIFYING PARTY will file with the proper recording office, a verified statement of account and claim of lien, commonly referred to as a mechanic's lien, pursuant to Ark Code Ann. 18-44-117.

The NOTIFYING PARTY also gives notice pursuant to Ark. Code Ann 18-44-128 that if the NOTIFYING PARTY does file a lien and is not paid within 20 days after the filing of the lien, and must file a lawsuit to enforce its claim, the Court will allow the NOTIFYING PARTY a reasonable attorneys' fee in addition to any and all other relief to which the NOTIFYING PARTY is entitled.

**NOTICE TO PROPERTY OWNER**

**IF BILLS FOR LABOR, SERVICES, OR MATERIALS USED TO CONSTRUCT OR PROVIDE SERVICES FOR AN IMPROVEMENT TO REAL ESTATE ARE NOT PAID IN FULL, A CONSTRUCTION LIEN MAY BE PLACED AGAINST THE PROPERTY. THIS COULD RESULT IN THE LOSS, THROUGH FORECLOSURE PROCEEDINGS, OF ALL OR PART OF YOUR REAL ESTATE BEING IMPROVED. THIS MAY OCCUR EVEN THOUGH YOU HAVE PAID YOUR CONTRACTOR IN FULL. YOU MAY WISH TO PROTECT YOURSELF AGAINST THIS CONSEQUENCE BY PAYING THE ABOVE NAMED PROVIDER OF LABOR, SERVICES, OR MATERIALS DIRECTLY, OR MAKING YOUR CHECK PAYABLE TO THE ABOVE NAMED PROVIDER AND CONTRACTOR JOINTLY.**

Signed this \_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

Agent for Notifying Party

Signed by: \_\_\_\_\_

**PROOF OF SERVICE AFFIDAVIT**

I, \_\_\_\_\_, being duly sworn, deposes and says that I am over the age of 18 years old, that this affidavit is made upon my own personal knowledge, and that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I served the attached Notice to Owner and Contractor to the parties indicated herein.

[\_\_\_\_\_] Property Owner

[\_\_\_\_\_] Prime Contractor

[\_\_\_\_\_] \_\_\_\_\_

[\_\_\_\_\_] \_\_\_\_\_

I served the attached document:

[\_\_\_\_\_] By personally delivering the notice to the identified parties;

[\_\_\_\_\_] By First Class Certified or Registered Mail service, return receipt requested, postage prepaid.

State of \_\_\_\_\_  
County of \_\_\_\_\_

Sworn to and subscribed before me, undersigned Notary Public, on the date inscribed to the right of this verification.

\_\_\_\_\_  
Notary Public

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Agent for Notifying Party  
Signed by: \_\_\_\_\_  
Title: \_\_\_\_\_