



MICHELLE R. MILLER
CLERK & COMPTROLLER
ST. LUCIE COUNTY, FLORIDA

OFFICIAL RECORDS

Department: Recording

Packet: Notice of Termination of Notice of Commencement

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NonRefundable

NINETEENTH
JUDICIAL CIRCUIT

NOTICE OF TERMINATION
OF
NOTICE OF
COMMENCEMENT

THIS PACKET SHOULD CONTAIN THE FOLLOWING DOCUMENTS:

- 1- DISCLAIMER AND NOTICE OF LIMITATION OF SERVICES
- 2- INSTRUCTIONS
- 3- NOTICE OF TERMINATION FORM
- 4- CONTRACTORS AFFIDAVIT



**MICHELLE R. MILLER
CLERK & COMPTROLLER**

ST. LUCIE COUNTY, FLORIDA
Recording Department
201 South Indian River Drive
Fort Pierce, Florida 34950
(772) 462-6930

NOTICE OF LIMITATION OF SERVICES PROVIDED

THE PERSONNEL IN THIS SELF-HELP PROGRAM ARE NOT ACTING AS YOUR LAWYER OR PROVIDING LEGAL ADVICE TO YOU.

SELF-HELP PERSONNEL ARE NOT ACTING ON BEHALF OF THE COURT OR ANY JUDGE. THE PRESIDING JUDGE IN YOUR CASE MAY REQUIRE AMENDMENT OF A FORM OR SUBSTITUTION OF A DIFFERENT FORM. THE JUDGE IS NOT REQUIRED TO GRANT THE RELIEF REQUESTED IN A FORM.

THE PERSONNEL IN THIS SELF-HELP PROGRAM CANNOT TELL YOU WHAT YOUR LEGAL RIGHTS OR REMEDIES ARE, REPRESENT YOU IN COURT OR TELL YOU HOW TO TESTIFY IN COURT.

THE INFORMATION THAT YOU GIVE TO AND RECEIVE FROM SELF-HELP PERSONNEL IS NOT CONFIDENTIAL AND MAY BE SUBJECT TO DISCLOSURE AT A LATER DATE. IF ANOTHER PERSON INVOLVED IN YOUR CASE SEEKS ASSISTANCE FROM THIS SELF-HELP PROGRAM THAT PERSON WILL BE GIVEN THE SAME ASSISTANCE THAT YOU RECEIVE.

IN ALL CASES, IT IS BEST TO CONSULT WITH YOUR OWN ATTORNEY.

ACKNOWLEDGMENT

*PLEASE COMPLETE THE FOLLOWING PARAGRAPH.
FILE THE SIGNED DOCUMENT WITH THE CLERK OF COURT.*

____ I CAN READ ENGLISH

____ I CANNOT READ ENGLISH, THIS NOTICE WAS READ TO ME BY

[NAME] _____ IN [LANGUAGE] _____

I _____ {name} do acknowledge that I have read this Notice of Limitation of Services Provided. I have received an explanation of the Notice of Limitation of Services Provided and I understand the limitation of the services provided. I understand that it is in my best interest to secure an attorney to represent my interest in this case. I understand that this form must be signed and filed with the Clerk before the Self-Help program may provide services to me.

Date _____

Signature

Case No: _____

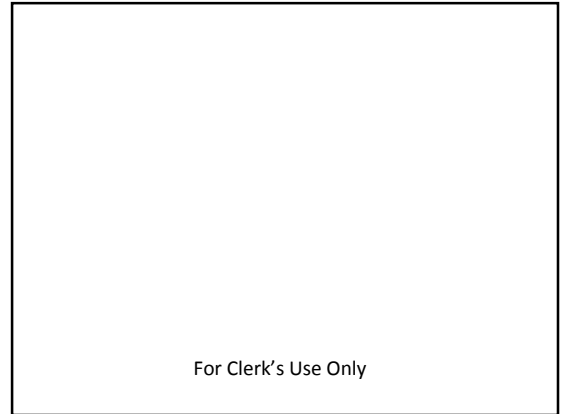
Signature

NOTICE OF TERMINATION INSTRUCTIONS

- 1- DATE OF NOTICE OF COMMENCEMENT
- 2- OFFICIAL RECORDS BOOK AND PAGE NUMBER
- 3- COUNTY
- 4- DATE
- 5- SIGNATURE
- 6- PRINT NAME
- 7- PRINT ADDRESS
- 8- NOTARY FILL IN COUNTY
- 9- NOTARY FILL IN DATE
- 10- NOTARY FILL IN NAME OF PERSON SIGNING
- 11- NOTARY FILL IN IDENTIFICATION
- 12- NOTARY SIGN
- 13- NOTARY PRINT NAME
- 14- NOTARY SEAL OR STAMP
- 15- NAME AND ADDRESS OF PERSON PREPARING DOCUMENT
- 16- NAME OF CONTRACTOR
- 17- AMOUNT OF FINAL PAYMENT
- 18- CONTRACTOR SIGNATURE
- 19- NOTARY FILL IN STATE
- 20- NOTARY FILL IN COUNTY
- 21- NOTARY FILL IN NAME OF PERSON SIGNING
- 22- NOTARY FILL IN IDENTIFICATION
- 23- NOTARY FILL IN DATE
- 24- NOTARY SIGN
- 25- NOTARY PRINT NAME
- 26- DATE OF COMMISSION EXPIRATION
- 27- NOTARY SEAL OR STAMP

**NOTICE OF TERMINATION OF
NOTICE OF COMMENCEMENT**

The undersigned hereby informs all concerned that the undersigned will TERMINATE that certain Notice of Commencement dated _____ **1**, _____, Recorded in OFFICIAL RECORDS BOOK _____ **2** PAGE _____, of _____ **3**, Florida, in accordance With Section 713.132, Florida Statutes, the following information is provided.



- 1- The date and recording information of the Notice of Commencement being terminated is described above.
- 2- The Notice of Commencement shall be terminated as of _____ **4**, 20____, (which date may not be earlier than 30 days after the Notice of Termination is recorded), if no date is inserted in the previous blanks, the Notice of Commencement will be terminated 30 days from the date of recording of this Notice of Termination.
- 3- This Notice of Termination applies to all real property described in the Notice of Commencement, unless a legal description is set forth below this paragraph (in which case this termination is effective only as to the property described).

_____ **5**
Owner Signature

_____ **6**
Owner Printed Name

_____ **7**
Address

State of _____ **8**
County of _____

The foregoing instrument was acknowledged before me this _____ day of _____ **9**,
20____, by _____ **10**, who is personally known to me or who has produced
_____ **11** as identification and who did/did not take an oath.

(Seal) _____ **14**
_____ **12**

Notary Signature
_____ **13**

Notary Printed Name

Prepared by/Return to: _____ **15**

CONTRACTOR'S FINAL AFFIDAVIT AND RELEASE OF LIEN

STATE OF Florida
COUNTY OF Saint Lucie

BEFORE ME, the undersigned authority, personally Appeared 16, who after being by me first duly sworn, deposes and says of his personal knowledge that:

- 1- He is (AGENT or OWNER) of (COMPANY or PROPERTY) which (does business or is located) in the State of Florida (hereinafter called the "Contractor").
- 2- Contractor, pursuant to the Contract dated _____(hereinafter referred to as the "Contract") with _____(hereinafter referred to as the "Owner"), has heretofore furnished or caused to be furnished labor, materials and services for the construction of certain improvements as more particularly set forth in the Contract.
- 3- Contractor represents that all work to be performed under the aforesaid Contract has been fully completed and that all lienors under the direct contract have been paid in full except the following:

Name of Lienor: _____ Amount Due: \$0.00

- 4- In consideration of final payment of the Contractor in the amount of \$ 17, and all other previous payments paid by the Owner to the Contractor, the undersigned does hereby for and in behalf of the Contractor, waive, release and relinquish the Contractor's right to any claim or demand or right to impose a lien or liens for work done or materials or services furnished or any other class of lien whatsoever, on any of the property owned by Owner on which improvements have been completed in connection with the aforementioned Contract.
- 5- The affiant represents that he has authority to execute a full and final release of lien for and in behalf of the Contractor.
- 6- The affiant makes this Affidavit and Release of lien, pursuant to Chapter 713, F.S., for the express purpose of inducing the Owner to make final disbursement and payment to the Contractor in the amount of \$0.00.

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Contractor Signature (Agent)

Printed Name (Title)

Company Name

State of 19

County of 20

I HEREBY CERTIFY that on this day, before me, an Officer duly authorized in the State aforesaid and the County aforesaid to take acknowledgments, personally appeared 21 to me known to be the person(s) described in or who has/have produced 22 as identification and who executed the foregoing instrument and he/she/they acknowledged before me that he/she/they, executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 23 day of _____, 20_____.

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Notary Signature

25

Notary Printed Name

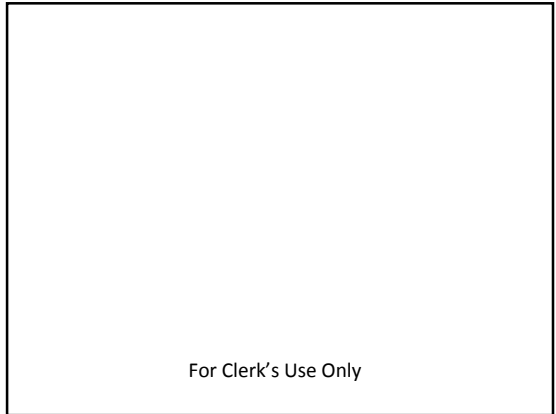
MY COMMISSION EXPIRES:

26

(Seal) 27

**NOTICE OF TERMINATION OF
NOTICE OF COMMENCEMENT**

The undersigned hereby informs all concerned that the undersigned will TERMINATE that certain Notice of Commencement dated _____, _____, Recorded in OFFICIAL RECORDS BOOK _____ PAGE _____, of _____, Florida, in accordance With Section 713.132, Florida Statutes, the following information is provided.



- 1- The date and recording information of the Notice of Commencement being terminated is described above.
- 2- The Notice of Commencement shall be terminated as of _____, 20____, (which date may not be earlier than 30 days after the Notice of Termination is recorded), if no date is inserted in the previous blanks, the Notice of Commencement will be terminated 30 days from the date of recording of this Notice of Termination.
- 3- This Notice of Termination applies to all real property described in the Notice of Commencement, unless a legal description is set forth below this paragraph (in which case this termination is effective only as to the property described).

Owner Signature

Owner Printed Name

Address

State of _____
County of _____

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____, who is personally known to me or who has produced _____ as identification and who did/did not take an oath.

(Seal)

Notary Signature

Notary Printed Name

Prepared by/Return to:

CONTRACTOR'S FINAL AFFIDAVIT AND RELEASE OF LIEN

STATE OF Florida
COUNTY OF Saint Lucie

BEFORE ME, the undersigned authority, personally Appeared _____, who after being by me first duly sworn, deposes and says of his personal knowledge that:

- 1- He is (AGENT or OWNER) of (COMPANY or PROPERTY) which (does business or is located) in the State of Florida (hereinafter called the "Contractor").
- 2- Contractor, pursuant to the Contract dated _____ (hereinafter referred to as the "Contract") with _____ (hereinafter referred to as the "Owner"), has heretofore furnished or caused to be furnished labor, materials and services for the construction of certain improvements as more particularly set forth in the Contract.
- 3- Contractor represents that all work to be performed under the aforesaid Contract has been fully completed and that all lienors under the direct contract have been paid in full except the following:

Name of Lienor:	Amount Due: \$0.00
-----------------	--------------------

- 4- In consideration of final payment of the Contractor in the amount of \$_____, and all other previous payments paid by the Owner to the Contractor, the undersigned does hereby for and in behalf of the Contractor, waive, release and relinquish the Contractor's right to any claim or demand or right to impose a lien or liens for work done or materials or services furnished or any other class of lien whatsoever, on any of the property owned by Owner on which improvements have been completed in connection with the aforementioned Contract.
- 5- The affiant represents that he has authority to execute a full and final release of lien for and in behalf of the Contractor.
- 6- The affiant makes this Affidavit and Release of lien, pursuant to Chapter 713, F.S., for the express purpose of inducing the Owner to make final disbursement and payment to the Contractor in the amount of \$0.00.

Contractor Signature (Agent)

Printed Name (Title)

Company Name

State of _____

County of _____

I HEREBY CERTIFY that on this day, before me, an Officer duly authorized in the State aforesaid and the County aforesaid to take acknowledgments, personally appeared _____ to me known to be the person(s) described in or who has/have produced _____ as identification and who executed the foregoing instrument and he/she/they acknowledged before me that he/she/they, executed the same. WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 20____.

Notary Signature

Notary Printed Name

MY COMMISSION EXPIRES:

(Seal)

2014 Florida Statutes

TITLE XL REAL AND PERSONAL PROPERTY LIENS, GENERALLY

Chapter 713 SECTION 132

Notice of termination.

713.132 Notice of termination.—

(1) An owner may terminate the period of effectiveness of a notice of commencement by executing, swearing to, and recording a notice of termination that contains:

- (a) The same information as the notice of commencement;
- (b) The recording office document book and page reference numbers and date of the notice of commencement;
- (c) A statement of the date as of which the notice of commencement is terminated, which date may not be earlier than 30 days after the notice of termination is recorded;
- (d) A statement specifying that the notice applies to all the real property subject to the notice of commencement or specifying the portion of such real property to which it applies;

(e) A statement that all lienors have been paid in full; and

(f) A statement that the owner has, before recording the notice of termination, served a copy of the notice of termination on the contractor and on each lienor who has a direct contract with the owner or who has served a notice to owner. The owner is not required to serve a copy of the notice of termination on any lienor who has executed a waiver and release of lien upon final payment in accordance with s. [713.20](#).

(2) An owner has the right to rely on a contractor's affidavit given under s. [713.06](#)(3)(d), except with respect to lienors who have already given notice, in connection with the execution, swearing to, and recording of a notice of termination. However, the notice of termination must be accompanied by the contractor's affidavit.

(3) An owner may not record a notice of termination except after completion of construction, or after construction ceases before completion and all lienors have been paid in full or pro rata in accordance with s. [713.06](#)(4). If an owner or a contractor, by fraud or collusion, knowingly makes any fraudulent statement or affidavit in a notice of termination or any accompanying affidavit, the owner and the contractor, or either of them, as the case may be, is liable to any lienor who suffers damages as a result of the filing of the fraudulent notice of termination; and any such lienor has a right of action for damages occasioned thereby.

(4) A notice of termination is effective to terminate the notice of commencement at the later of 30 days after recording of the notice of termination or the date stated in the notice of termination as the date on which the notice of commencement is terminated, if the notice of termination has been served pursuant to paragraph (1)(f) on the contractor and on each lienor who has a direct contract with the owner or who has served a notice to owner.

History.—s. 7, ch. 90-109; s. 5, ch. 92-286; s. 3, ch. 97-219; s. 4, ch. 98-135; s. 7, ch. 2012-211.