

SUBCONTRACTOR'S PARTIAL AFFIDAVIT

Capitalized terms as used herein shall have the same meaning as they do in the Agreement dated _____ therein and entered into between the Contractor (as defined therein) and Subcontractor (as defined therein), pursuant to which the Subcontractor agreed to perform the Subcontract Work (as defined therein), unless otherwise defined herein. The aforementioned Agreement is attached hereto as Exhibit A

Before me, the undersigned Notary Public, on this day personally appeared _____ ("Deponent"), known to me to be the person whose name is subscribed below, and who, after being duly sworn, deposes and states on oath that:

1. Deponent represents and warrants to the Owner and Contractor that Deponent is the principal of the Subcontractor, and is fully authorized to make this Affidavit, and has actual, personal knowledge of the matters set forth herein.

2. Deponent represents and warrants to the Owner and Contractor that the Subcontract Work was performed strictly in accordance with the terms of the Agreement.

3. The Deponent represents and warrants to the Owner and Contractor that only those parties, subcontractors, materialmen, suppliers, and/or vendors identified on Exhibit "B" ("Providers") attached hereto and made a part hereof have supplied labor, services or materials in connection with the Project through the date of this Subcontractor's Partial Affidavit. **NOTE:** If there are no Providers, please insert the word "None" on the attached Exhibit B.

4. Deponent represents and warrants to the Owner and Contractor that all bills related to or in connection with the Providers used in the performance of the Subcontract Work or used or delivered to the Project Location at Deponent's instance have been paid and satisfied in full.

5. Deponent represents and warrants to the Owner and Contractor that all Providers, who have furnished labor, services and/or material to the Project Location at Deponent's instance have been paid the price agreed to between the Subcontractor and all such Providers (including an amount of not less than the reasonable value of the labor, services, and/or materials furnished in the performance of the work by any Providers).

6. In connection with the construction of the Improvements on the Property, the Deponent represents and warrants to the Owner and Contractor that he/she/it has not and/or will not receive (directly or indirectly) any rebate, fee, gift, commission or thing of value on account of such construction from any Providers or any other party;

7. The Deponent represents and warrants to Owner and Contractor that as of the date hereof all Subcontract Work has been performed in accordance with the Agreement; and all of Deponent's obligations have been performed strictly in accordance with the terms of the Agreement.

8. This Affidavit is made by the Deponent to induce the Contractor to pay to Deponent the portion of the amount of the Subcontract Price due under the Agreement to the Subcontractor, namely, \$ _____ (the "2nd Payment").

Name : _____

SIGN HERE: _____

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this ___ day of _____, 20___, by _____, who is personally known to me or who produced a driver's license or other form of reputable government I.D. as identification and who did take an oath.

Notary Public State of _____

My Commission Expires:

Exhibit A

Exhibit B

Those parties, subcontractors, materialmen, suppliers, and/or vendors that have supplied labor, services or materials in connection with the Project.