WARNING STATEMENT

NOTICE TO OWNER:
(name of supplier or subcontractor) is a supplier or subcontractor
providing materials or labor on Job No at(residence address)_ under
an agreement with(name of contractor). Kansas law will allow this supplier or
subcontractor to file a lien against your property for materials or labor not paid for
by your contractor unless you have a waiver of lien signed by this supplier or
subcontractor. If you receive a notice of filing of a lien statement by this supplier or
subcontractor, you may withhold from your contractor the amount claimed until the
dispute is settled.
CERTIFICATE OF MAILING
The undersigned certifies that a copy of the above Warning Statement (was
mailed by regular mail to(Name of property owner) at _(Mailing address of
property owner) on (date of mailing) (is in undersigned's possession and
said copy has been signed and dated by <u>(Name of property owner)</u>
acknowledging receipt of the Warning Statement).
(Signature of claimant)
Authority
K.S.A. 60-1103a.

The provisions in K.S.A. 60-1103a relate only to subcontractor's or supplier's liens on "improvement of residential property" which is defined as "1) improvement of a preexisting structure in which the owner resides at the time the claimant first furnishes labor, equipment, material or supplies and which is not used or intended for use as a residence for more than two families or for commercial purposes or improvement or construction of

Notes on Use

any addition, garage, fence, swimming pool, outbuilding or other improvement appurtenant to such structure; or 2) any construction upon real property which is (A) owned or acquired by an individual at the time the claimant first furnishes labor, equipment, material or supplies; (B) intended to become and does become the principal personal residence of that individual upon completion; and (C) not used or intended for use as a residence for more than two families or for commercial purposes." K.S.A. 60-1103a(a).

The subcontractor or supplier may not file a lien pursuant to K.S.A. 60-1103 on improvement to residential property unless the claimant has:

- 1) mailed a warning statement conforming with K.S.A. 60-1103a(c) to any one of the owners of the property; or
- 2) has in claimant's possession a copy of a statement signed and dated by any one owner of the property stating that the general contractor or the claimant had given the warning statement conforming with K.S.A. 60-1103a(c) to one such owner of the property. K.S.A. 60-1103a(b).