

FINAL CERTIFICATE AND RELEASE

CONTRACTOR:

SURETY:

OWNER: _____ **COUNTY BOARD OF EDUCATION**

REFERENCE: The Contract entered into the _____ day of _____, 20__ by and between the _____ **COUNTY BOARD OF EDUCATION** (hereinafter called the "Board") and _____ (hereinafter called the "Contractor") (collectively referred to as "the Parties"), for the Project entitled _____ (hereinafter called the "Project").

KNOW ALL MEN BY THESE PRESENTS:

1. The Contractor hereby certifies that there is due and payable under the Contract, and all change orders and modifications thereof, the sum of \$_____ as final payment.
2. The Contractor further certifies that there are no outstanding or unsettled claims or items in addition to the amount set forth in paragraph 1 herein which it claims are just and due and owing by the Board to the Contractor.
3. The Contractor further certifies that all work required under the Contract, including work required under all agreed upon change orders and modifications, has been performed in accordance with the terms thereof, the Contractor will provide to the Board all close-out documents required by the Contract.
4. Except for the amount stated in paragraph 1 herein, the Contractor has received from the Board all sums of money payable to the Contractor under or pursuant to the Contract, change orders, modifications, change directives, claims, demands or otherwise.
5. That in further consideration of the payment of the amount stated in Paragraph 1 herein, the Contractor does hereby release the Board and the Board's past, present and future members, officers, employees and agents, and their respective assigns, successors, heirs and representatives from any and all claims, demands, rights, claims of lien, damages, suits, and causes of action, both legal and equitable, which the Contractor has, might now have, or that subsequently may accrue to it, arising under, growing out of, or in any wise connected with the Contract above referred to and the Project.

Specifically, and without waiving the foregoing in any manner, Contractor agrees not to assert against or pass-through to the Board, in whole or in part, present or future claims from laborers, materialmen, mechanics, subcontractors or sub-subcontractors. Contractor will indemnify and hold-harmless the Board from any and all claims of laborers, materialmen, mechanics, subcontractors or sub-subcontractors for unpaid monies or wages arising out of the performance of the Contract.

6. That the surety for Contractor does hereby consent to payment pursuant to the terms of this Final Certificate and Release.

IN WITNESS WHEREOF, the Contractor has caused this Final Certificate and Release to be executed by its duly authorized officers and its seal to be hereunto affixed, all by authority duly given, this ___ day of _____, 20___. It is the act and intent of the Contractor that this Document be executed under seal.

Contractor:

BY:

Print: _____

Title: _____

{ Affix Corporate Seal }

ATTEST:

Print: _____

Title: Corporate Secretary

STATE OF NORTH CAROLINA
COUNTY OF _____

I, a Notary Public of the aforementioned State and County do hereby certify that _____ personally appeared before me this day and, being first duly sworn to oath, deposed and said that s/he is the _____ of _____ {insert name of contractor}, and that s/he has read the foregoing Final Certificate and Release and that the matters and things stated therein are, to the best of his/her knowledge and belief, true and that by authority duly given and as the act of _____ {insert name of contractor}, the foregoing instrument was signed in its name by him/her as its _____, sealed with its corporate seal, and accepted by its Secretary.

WITNESS my hand and Notarial Seal, this ___ day of _____, 20__.

My Commission Expires:

NOTARY PUBLIC

Print: _____

CONSENT OF SURETY:

BY: _____

Print: _____

Title: _____

{ Affix Corporate Seal }

**STATE OF NORTH CAROLINA
COUNTY OF _____**

I, a Notary Public of the aforementioned State and County do hereby certify that _____ personally appeared before me this day and, being first duly sworn to oath, deposed and said that s/he is the _____ of _____ {insert name of surety}, and that s/he has read the foregoing Final Certificate and Release and that the matters and things stated therein are, to the best of his/her knowledge and belief, true and that by authority duly given and as the act of _____ {insert name of surety}, the foregoing instrument was signed in its name by him/her as its _____, sealed with its corporate seal, and accepted by its Secretary.

WITNESS my hand and Notarial Seal, this ___ day of _____, 20____.

My Commission Expires:

NOTARY PUBLIC

Print: _____