

Release of Lien Research Guide

Overview

This research guide includes information and resources on release of lien. Texas Property Code covers multiple types of liens: judgment liens, mechanic's and materialman's liens, landlord's liens, liens for hospital services, mineral property, railroad laborers, farm, factory, and store workers, newspaper employees, oil and gas, and so on. Most of the resources included in this guide focus on judgment liens. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for counsel.

See also: *Judgment Liens Research Guide, Mechanics' & Materialmen's Liens Research Guide*

Statutes and Codes

Texas Statutes Online www.statutes.capitol.texas.gov

Texas Property Code (Title 5) Exempt Property and Liens

- § 52.0012 Release of Record of Lien on Homestead Property (includes form language for Homestead Affidavit as Release of Judgment Lien)
<https://statutes.capitol.texas.gov/Docs/PR/htm/PR.52.htm#52.0012>
- §52.005 Satisfaction of Judgment (Judgment Lien)
<https://statutes.capitol.texas.gov/Docs/PR/htm/PR.52.htm#52.005>
- §52.006 Duration of Lien (Judgment Lien)
<https://statutes.capitol.texas.gov/Docs/PR/htm/PR.52.htm#52.006>
- Ch. 53 Mechanic's, Contractor's, or Materialman's Lien

- §53.281 *et seq* Waiver and Release of Lien or Payment Bond Claim
<https://statutes.capitol.texas.gov/Docs/PR/htm/PR.53.htm#53.281>

Secondary Resources in Print

Texas Real Estate Forms Manual REF KFT 1326.T4

- Vol. 1 Ch. 10 Ancillary Loan Documents §10.2 General Considerations for Release of Lien and Partial Release of Lien
 - Form 10-2 Release of Lien
 - Form 10-3 Partial Release of Lien
- Vol. 2 Ch. 16 Water Rights Conveyancing Documents
 - Form 16-8 Partial Release of Lien [Water Rights On-Site Production]
 - Form 16-11 Partial Release of Lien [Water Rights Off-Site Production]
- Vol. 2 Ch. 21 Involuntary Mechanic's Lien Documents
 - Form 21-13 Release of Mechanic's and Materialman's Lien
 - Form 21-14 Partial Release of Mechanic's and Materialman's Lien
- Vol. 2 Ch. 26 Miscellaneous Documents
 - Form 26-27 Homestead Affidavit as Release of Judgment Lien
 - Form 26-32 Partial Release of Judgment Lien
 - Form 26-34 Release of Judgment Lien

Texas Forms Real Estate REF KFT 1326.A65

- Form 3:18 Release
- Form 3:19 Partial release

Texas Forms Manual: A Guide for Real Estate and Title Documentation REF KFT

- Ch. 3 Title Curative Documentation

Beyer's Texas Property Code Annotated REF KFT 1312.A29 T49

- Vol. 1, §52.0012 Release of Record of Lien on Homestead Property

CLE Materials

Advanced Real Estate Strategies KFT

- 2021 New Issues in Construction Law/Panel Discussion, Section III.A. Statutory Lien Releases – Chapter 53 Texas Property Code, p. 7-9

Collections and Creditors Rights (PDF only)

- 2022 Ch. 7 Creation and Enforcement of Liens

Real Estate Law 101 KFT 1312.A75 R22

- 2021 Ch. 4.2 Basic Documents, Section V. Releases of Lien (Partial and Full) *(includes form templates for Release of Lien and Partial Release of Lien)*

Online Resources

Release of Lien Texas (attorney blog)

<https://kwclaw.com/release-of-lien-texas/>

Rights of Debtors in Texas (Texas Law Help)

<https://texaslawhelp.org/article/rights-of-debtors-in-texas#what-are-secured-and-unsecured-debts>

Publication 594 (IRS) <https://www.irs.gov/pub/irs-pdf/p594.pdf>

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up
<https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)