

Notice of Claim of Lien
(Dairy Cattle Supply Lien—Cal. Food and Ag Code
§§57401, et. seq.)

[Date]

From: [Name of Lien Claimant]:

 ("Lien Claimant")

To: [Name of Lien Debtor]:

 ("Lien Debtor")

Name of Additional Secured Parties (if any)

Location of Dairy to Which Feed and Materials Were Provided.

PLEASE TAKE NOTICE pursuant to California Food and Agricultural Code Section 57402, that the Lien Claimant identified above ("Lien Claimant") asserts a lien on the proceeds of milk and milk products produced from the Lien Debtor identified above ("Lien Debtor") for the reasonable or agreed charges for feed or materials provided to Lien Debtor

Lien Claimant asserts a lien in the amount of not less than \$_____. A Notice of Lien has been filed with the Secretary of State for the State of California and is attached hereto.

[Unless otherwise indicated, Lien Debtor is not in default of its payment obligations to Lien Creditor as of the date of this Notice of Lien, and this Notice of Lien is filed and served to preserve Lien Claimant's rights under California Food and Ag Code sections 57401*et. seq.*]

If you have any questions, please contact the Lien Claimant at the address set forth above.

Printed Name: _____

Title: _____

Exhibit A—(Notice of Claim of Lien--UCC-1 Financing Statement)

[Attach copy of UCC-1 filed with Secretary of State]

Proof of Service

I, _____, declare:

At the time of service, I was over 18 years of age. I am employed by _____ and my business address is _____.

On _____, I served a true copy of the following document, a copy of which is attached:

Notice of Claim of Lien (Dairy Cattle Supply Lien—Cal. Food and Ag Code §§57401 *et.seq.*) dated _____.

by mail on the following persons:

[Insert addresses from above]

I enclosed the document identified above in a sealed envelope or package addressed to the persons at the addresses listed below and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with _____ [Lien Claimant]'s practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, at _____, California.

Signature: _____

Printed Name: _____

Title: _____

Instructions for Completion of Form

This form is used to perfect a Dairy Cattle Supply Lien.

Prior to completing this Notice, the Lien Claimant should do the following:

- a. If the Lien Debtor is an entity (corporation, limited partnership or limited liability company), identify the registered agent for service of process by conducting a search of the records of the Secretary of State.*
- b. Complete a lien search on the Lien Debtor with the California Secretary of State*
- c. If the Lien Debtor is an entity, complete a lien search with the Secretary of State of the state in which such entity is organized, if different than California.*

Completing the Notice

- 1. Date. The Notice should contain the actual date that the Lien Claimant files the notice.*
- 2. Name of Lien Debtor. The Notice must set forth the exact legal name of the Lien Debtor and its last known address. This information should be set forth on the Lien Perfection and Enforcement Information Sheet.*
- 3. Secured Parties. The Notice should set forth the name and address of other secured creditors claiming a lien or interest in the milk proceeds. These names and secured creditors will be listed on the lien search obtained on the Lien Debtor, as discussed above.*
- 4. Location of Dairy. The Notice must set forth the location of the dairy to which feed or materials were provided. This information may be on the Information Sheet or on applicable transportation documents.*
- 5. Amount. The Notice contains an area for setting forth the amount of the lien. In general, the amount is the lesser of (i) the unpaid amount owed by the Lien Debtor, or (ii) the amount of reasonable or agreed charges for feed for a 60 –day period.*
- 6. Signature. The Notice need not be signed, but the form contains a signature line to facilitate communications between the parties.*
- 7. **UCC-1 Financing Statement. A copy of the filed Notice of Claim of Lien (the form filed with the Secretary of State) must be attached and served on the parties named in the form.***

Serving the Notice and completing the proof of service

- 8. Proof of Service. A proof of service will constitute evidence that the form was properly served on necessary persons. The proof of service should contain the name and signature of the individual mailing the notice and the names of the parties being served. The original should be retained in the Lien Claimant's files.*

9. *The Notice of Claim of Lien must be served within 10 days of filing with the Secretary of State on the Lien Debtor, and all persons holding liens on the milk proceeds subject to the lien.*