

1 IN THE SENATE

BY SENATOR ROBISON

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SENATE BILL NO. 79

3

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

4

TWENTY-FIRST SESSION

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A BILL

6

For an Act entitled: "An Act amending Section 26-1-3 ACIA 1949

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relating to priorities of mechanics' and

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materialmens liens and the enforcement

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thereof; and declaring an emergency."

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BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

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Section 1. Section 26-1-3 ACIA 1949 is amended to read

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as follows:

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Section 26-1-3. Priorities: Sale and removal of build-

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ing or other improvement. All liens (A LIEN) created by

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this code upon any parcel of land and upon any building or

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other improvement shall be preferred to (ANY) all liens,

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mortgages, or other incumbrances which may have attached

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to the land upon which the building or other improvement

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shall have been constructed, or situated when altered or

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repaired, subsequent to the time when the building or other

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improvement or the alteration or repair thereof was com-

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menced, or (THE) materials for the same were commenced to be

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furnished and placed upon or adjacent to the land; (ALSO)

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and shall be likewise preferred to (ANY) all liens,

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mortgages, or other incumbrances which (WAS) were unrecorded

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at the time (WHEN) construction of the building, structure,

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or other improvement or the alteration or repair thereof

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was commenced or (OTHER) materials for the same were

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commenced to be furnished and placed upon or adjacent to

1 to the land (AND ALL LIENS CREATED BY THIS CODE UPON ANY
2 BUILDING OR OTHER IMPROVEMENTS SHALL BE PREFERRED TO ALL
3 PRIOR LIENS, MORTGAGES, OR OTHER INCUMBRANCES ON THE LAND
4 UPON WHICH THE BUILDING OR OTHER IMPROVEMENT SHALL HAVE
5 BEEN CONSTRUCTED OR SITUATED WHEN ALTERED OR REPAIRED)
6 and in enforcing such lien, such building or other improve-
7 ment may be sold separately from the land, and when so sold
8 the purchaser may remove the same, within a reasonable time
9 thereafter, not to exceed thirty days, upon the payment
10 to the owner of the land of a reasonable rent for its use
11 from the date of its purchase to the time of removal:
12 Provided, If such removal be prevented by legal proceedings,
13 the thirty days shall not begin to run until the final
14 determination of such proceedings in the court of first
15 resort or the appellate court if appeal be taken.

16 Section 2. An emergency is hereby declared to exist and this
17 Act shall be in full force and effect from and after the date of
18 its passage and approval.