

Original sponsor: Groh

Offered: 4/12/72  
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 151 *AM*

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to mechanics' and materialmen's  
7 liens; and providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Sec. 1. AS 34.35.070 is amended by adding new subsections to read:

10 (d) The owner of land which may be subject to a lien created  
11 under secs. 50 - 120 of this chapter shall, within 10 days after com-  
12 pletion of a building or other improvement, record a notice of comple-  
13 tion of the building or other improvement. If the notice is recorded,  
14 in order to claim the benefit of secs. 50 - 120 of this chapter, every  
15 original contractor shall record his claim of lien no later than 90  
16 days after the notice of completion has been recorded. A person,  
17 other than the original contractor, claiming the benefits of secs. 50 -  
18 120 of this chapter shall record his claim of lien no later than 90  
19 days after the notice of completion has been recorded. The notice of  
20 completion provided for in this section shall be recorded in the  
21 office of the recorder of the district in which the property is situated,  
22 shall be signed and verified by the owner or his agent, and shall  
23 set out the following:

- 24 (1) the date of completion of the building or other improve-  
25 ment, or of a particular portion of the building or other improvement;  
26 (2) the name and address of the owner;  
27 (3) the nature of the interest or estate of the owner;  
28 (4) sufficient legal description of the property; and  
29 (5) the name of the original contractor, if any.

1 (e) Within five days after recording the notice of completion  
2 the owner shall mail a copy of the notice and recordation by registered  
3 or certified mail to the last known address of the contractor and to  
4 materialmen and subcontractors of which he has knowledge.

5 (f) Within 10 days after receipt of notice of completion and  
6 recordation the contractor shall mail a copy of both documents by  
7 registered or certified mail to all other persons who may claim the  
8 benefits of secs. 50 - 120 of this chapter.

9 (g) Personal service of notice of completion and recordation may  
10 be substituted for mail service in (e) and (f) of this section.

11 (h) A wilful violation of the provisions of this section places  
12 the violator in the position of guarantor regarding another person  
13 who suffers damages which are proximately caused by the violation.

14 \* Sec. 4. This Act takes effect on the day after its passage and approval  
15 or on the day it becomes law without approval.  
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