

Original sponsor: Groh

Offered: 4/12/72
Referred: Rules

1 IN THE SENATE

BY THE JUDICIARY COMMITTEE

2 CS FOR SENATE BILL NO. 151

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

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

1 (5) the name of the original contractor, if any.

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

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

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

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

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