

Introduced: 3/15/77  
Referred: Labor & Management and  
Judiciary

1 IN THE SENATE

BY CROFT

2 SENATE BILL NO. 252

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to liens upon real property and im-  
7 provements."

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

9 \* Section 1. AS 34.35.070(a) and (b) are amended to read:

10 (a) An original contractor, after the completion of his contract,  
11 and a mechanic, artisan, machinist, builder, lumber merchant, laborer,  
12 or other persons, claiming the benefit of secs. 50 - 120 of this chap-  
13 ter, shall record [FILE] a claim with the recorder of the recording  
14 district in which a building or other improvement, or a part of it, is  
15 located.

16 (b) The claim shall be recorded [FILED] within 90 days after

17 (1) the completion of his contract or the alteration or re-  
18 pair;

19 (2) he ceases to labor on it from any cause; or

20 (3) he ceases to furnish materials for it.

21 \* Sec. 2. AS 34.35.070(d) is amended to read:

22 (d) The owner of land which may be subject to a lien created under  
23 secs. 50 - 120 of this chapter may [SHALL], within 10 days after com-  
24 pletion of a building or other improvement, record a notice of comple-  
25 tion of the building or other improvement. In order to claim the  
26 benefit of secs. 50 - 120 of this chapter, every lien claimant [ORIGINAL  
27 CONTRACTOR] shall record his claim of lien no later than 90 days after  
28 the notice of completion has been recorded or within 90 days of the  
29 last occurrence of any event set out in (b) of this section [FROM

1 COMPLETION OF WORK PERFORMED AT REQUEST OF THE OWNER], whichever is  
2 earlier [LATER. A PERSON, OTHER THAN THE ORIGINAL CONTRACTOR, CLAIMING  
3 THE BENEFITS OF SECS. 50 - 120 OF THIS CHAPTER SHALL RECORD HIS CLAIM OF  
4 LIEN NO LATER THAN 90 DAYS AFTER THE NOTICE OF COMPLETION HAS BEEN  
5 RECORDED]. The notice of completion provided for in this section shall  
6 be recorded in the office of the recorder of the district in which the  
7 property is situated, shall be signed and verified by the owner or his  
8 agent, and shall set out the following:

- 9 (1) the date of completion of the building or other improve-  
10 ment, or of a particular portion of the building or other improvement;  
11 (2) the name and address of the owner;  
12 (3) the nature of the interest or estate of the owner;  
13 (4) sufficient legal description of the property; and  
14 (5) the name of the original contractor, if any.

15 \* Sec. 3. AS 34.35.080(a)(2) is amended to read:

16 (2) within six months after recording of an extension [THE  
17 EXPIRATION OF AN EXTENDED PERIOD WHEN (A) AN EXTENSION OF TIME FOR PAY-  
18 MENT IS GIVEN BY THE CLAIMANT AND THE TERMS OF THE EXTENSION ARE STATED  
19 IN THE LIEN CLAIM, OR (B) A SUPPLEMENTAL] notice [IS FILED] in the same  
20 recording office within the original six-month period showing the recor-  
21 ding date and the book and page or instrument number of the initial  
22 claim, and the balance owing [, AND THE DATE TO WHICH PAYMENT HAS BEEN  
23 EXTENDED].