

38-10-106 Enforcement -- Time for -- Lis pendens -- Action for debt not affected -- Execution on an interest.

- (1) Actions to enforce the liens created by this chapter shall be commenced within 180 days after the filing of the notice of lien required by Section 38-10-105. The lien claimant shall, within 10 working days after commencement of the action, file a notice of the pendency of the action with the county recorder of each county in which the lien is recorded or the lien shall be void, except as to persons who have been served and made parties to the action. Nothing in this chapter shall be construed to impair or affect the right of any person to whom a debt may be due for any work performed or materials or equipment furnished to maintain an action to recover the debt.
- (2) In any action to enforce a lien under this chapter, the provisions of Sections 38-1a-702 and 38-1a-705 apply.
- (3) Upon the entry of a judgment foreclosing the lien, execution on an interest shall be governed as follows:
 - (a) upon real property by Section 38-1a-704; and
 - (b) upon personalty by the Utah Rules of Civil Procedure.

Amended by Chapter 278, 2012 General Session