

**Effective 5/10/2016**

**11-13-605 Notice of limitation on liabilities of segments.**

- (1)
  - (a) A notice of limitation on liabilities of a segment described in Subsection 11-13-604(2)(e) shall:
    - (i) state:
      - (A) the name of the segment's associated entity;
      - (B) the associated entity's indexed office;
      - (C) the associated entity's principal county; and
      - (D) that the liabilities of each segment established by the associated entity, regardless of when the segment is created, are limited in accordance with the provisions of this part; and
    - (ii) be acknowledged by a director or an officer of the associated entity.
  - (b) A notice of limitation on liabilities of a segment is not required to refer to a particular segment.
- (2)
  - (a) The requirements described in Section 57-3-105 do not apply to a notice of limitation on liabilities of a segment.
  - (b) A county recorder shall record a notice of limitation on liabilities of a segment that:
    - (i) is submitted to the county recorder for recording; and
    - (ii) satisfies the requirements described in Subsection (1)(a).
- (3) A recorded notice of limitation on liabilities of a segment does not create any interest in or otherwise encumber the property described in the notice.
- (4) Title 38, Chapter 9, Wrongful Lien Act, and Title 38, Chapter 9a, Wrongful Lien Injunctions, do not apply to a notice of limitation on liabilities of a segment.
- (5) A notice of limitation on liabilities of a segment that is recorded in accordance with this part in the principal county of the segment's associated entity constitutes notice for all purposes of the limitation on liabilities of the segment, regardless of whether the segment is established at the time the notice is recorded.

Enacted by Chapter 382, 2016 General Session