

Effective 5/10/2016

78B-6-1303 Lis pendens -- Notice.

- (1)
 - (a) Any party to an action filed in the United States District Court for the District of Utah, the United States Bankruptcy Court for the District of Utah, or a Utah district court that affects the title to, or the right of possession of, real property may file a notice of pendency of action.
 - (b) A party that chooses to file a notice of pendency of action shall:
 - (i) first, file the notice with the court that has jurisdiction of the action; and
 - (ii) second, record a copy of the notice filed with the court with the county recorder in the county where the property or any portion of the property is located.
 - (c) A person may not file a notice of pendency of action unless a case has been filed and is pending in a United States or Utah district court.
- (2) The notice shall contain:
 - (a) the caption of the case, with the names of the parties and the case number;
 - (b) the object of the action or defense; and
 - (c) the specific legal description of only the property affected.
- (3) From the time of filing the notice, a purchaser, an encumbrancer of the property, or any other party in interest that may be affected by the action is considered to have constructive notice of pendency of action.

Amended by Chapter 306, 2016 General Session