

BEFORE THE COMMENCEMENT OF ANY BUILDING, THE OWNER OF THE LAND OR ANY PERSON HAVING A LIEN ON THE LAND BY MORTGAGE, JUDGMENT OR OTHERWISE, OR ENTITLED TO A LIEN BY VIRTUE OF THIS TITLE, MAY APPLY BY PETITION IN WRITING TO THE CIRCUIT COURT OF THE COUNTY TO DESIGNATE THE BOUNDARIES.

(C) BUILDINGS.

(1) UNFINISHED BUILDING. WHERE A BUILDING IS COMMENCED AND NOT FINISHED, THE LIEN SHALL ATTACH TO THE EXTENT OF THE WORK DONE OR MATERIAL FURNISHED.

(2) BUILDING ERECTED BY TENANT. WHERE A BUILDING IS ERECTED BY A TENANT FOR LIFE OR YEARS, OR BY AN ARCHITECT, BUILDER, OR OTHER PERSON EMPLOYED BY THE TENANT, THE LIEN APPLIES ONLY TO THE EXTENT OF THE TENANT'S INTEREST.

REVISOR'S NOTE: This section presently appears as Art. 21, §9-102 of the Code. The only changes are in style.

9-103. NOTICE TO OWNER WHERE CONTRACT IS WITH PERSON OTHER THAN OWNER.

(A) GENERALLY.

IF THE CONTRACT FOR FURNISHING WORK OR MATERIAL, OR BOTH, IS WITH AN ARCHITECT, BUILDER, OR ANY PERSON EXCEPT THE OWNER OF THE LAND ON WHICH THE BUILDING MAY BE ERECTED, OR HIS AGENT, THE PERSON DOING THE WORK OR FURNISHING THE MATERIAL, OR BOTH, IS NOT ENTITLED TO A LIEN UNLESS, WITHIN 90 DAYS AFTER FURNISHING THE WORK OR MATERIAL, HE OR HIS AGENT GIVES NOTICE IN WRITING, WHICH MAY INCLUDE REGISTERED MAIL, TO THE OWNER OR AGENT IF THE OWNER OR AGENT RESIDES IN THE COUNTY, OF HIS INTENTION TO CLAIM A LIEN.

(B) PROPERTY OWNED BY HUSBAND AND WIFE.

IF PROPERTY IS OWNED BY HUSBAND AND WIFE EITHER JOINTLY OR AS TENANTS BY THE ENTIRETY, AND THE HUSBAND AND WIFE ARE NOT SEPARATED OR DIVORCED, DELIVERY OF THE NOTICE PROVIDED IN SUBSECTION (A) IS SUFFICIENT IF RECEIVED BY EITHER HUSBAND OR WIFE.

(C) NOTICE TO PERSON WHOSE NAME APPEARS IN ASSESSMENT BOOKS.

NOTICE GIVEN TO THE PERSON APPEARING AS THE TAXPAYER IN THE ASSESSMENT BOOKS OF THE COUNTY WHERE THE LOT IS LOCATED CONSTITUTES NOTICE TO ALL ACTUAL OWNERS.

(D) WHERE IMPOSSIBLE TO GIVE NOTICE.