

AVAILABLE TO SATISFY EACH SUCH LIEN SHALL BE STATED BY THE COURT AUDITOR AS ONE FUND, AND THE AMOUNT TO BE DISBURSED TO SATISFY EACH LIEN ESTABLISHED PURSUANT TO THIS SUBTITLE SHALL BEAR THE SAME PROPORTION TO THAT FUND AS THE AMOUNT OF SUCH LIEN BEARS TO THE TOTAL AMOUNT SECURED BY ALL SUCH LIENS, WITHOUT REGARD TO PRIORITY AMONG SUCH LIENS.

[[9-108.

A LIEN ESTABLISHED UNDER THIS SUBTITLE, UNLESS SOONER RELEASED PURSUANT TO THIS SUBTITLE, EXPIRES AT THE END OF ONE YEAR FROM THE DAY ON WHICH IT FIRST ATTACHED IN ANY COUNTY. DURING THIS TIME, THE CLAIMANT MAY BRING PROCEEDINGS IN EQUITY TO ENFORCE THE LIEN OR EXECUTE ON THE BOND, AND THE OWNER OR ANY OTHER PERSON INTERESTED IN THE PROPERTY SUBJECT TO THE LIEN, MAY BRING PROCEEDINGS IN EQUITY TO COMPEL THE CLAIMANT TO PROVE THE VALIDITY OF THE LIEN OR HAVE IT DECLARED VOID. IF AN EQUITY PROCEEDING IS FILED WITHIN ONE YEAR, THE LIEN OR BOND SHALL REMAIN EFFECTIVE UNTIL THE CONCLUSION OF THE PROCEEDINGS. ]]

9-109.

THE RIGHT TO ENFORCE ANY LIEN ESTABLISHED UNDER THIS SUBTITLE EXPIRES AT THE END OF ONE YEAR FROM THE DAY ON WHICH THE PETITION TO ESTABLISH THE LIEN WAS FIRST FILED. DURING THIS TIME THE CLAIMANT MAY FILE A PETITION IN THE LIEN PROCEEDINGS TO ENFORCE THE LIEN OR EXECUTE ON ANY BOND GIVEN TO OBTAIN A RELEASE OF THE LAND AND BUILDING FROM THE LIEN. IF SUCH PETITION IS FILED WITHIN THE ONE YEAR PERIOD, THE RIGHT TO A LIEN OR THE LIEN, OR ANY BOND GIVEN TO OBTAIN A RELEASE OF LIEN, SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL THE CONCLUSION OF THE ENFORCEMENT PROCEEDINGS AND THEREAFTER ONLY IN ACCORDANCE WITH THE DECREE ENTERED IN THE CASE.

[[9-109.

IF BETWEEN FEBRUARY 10, 1976 AND THE EFFECTIVE DATE OF THIS ACT, INCLUSIVE, A PERSON CLAIMED OR WAS ENTITLED TO CLAIM PLACED A MECHANIC'S LIEN AND, ON THE EFFECTIVE DATE OF THIS ACT, THE LIEN HAS NOT BEEN TERMINATED, WAIVED, RELEASED OR DISCHARGED, THE PERSON MAY FILE AN AFFIDAVIT FOR A LIEN, AS PROVIDED IN § 9-105, WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF THIS ACT. ]]

9-110.

NO PERSON HAVING THE RIGHT TO ESTABLISH A MECHANICS' LIEN WAIVES THE RIGHT BY GRANTING A CREDIT, OR RECEIVING A NOTE OR OTHER SECURITY, UNLESS IT IS RECEIVED AS PAYMENT OR THE LIEN RIGHT IS EXPRESSLY WAIVED.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is hereby declared to be an emergency measure and