

MECHANIC'S LIENS

*\$30 filing fee

*Notice of Statement of Mechanic's Lien

*Certified mail receipt

Refer to sdlegislature.gov, Chapter 44-9 for full details.

44-9-16. Lien statement by lien claimant--Verification--Contents. Such statement shall be made by or at the instance of the lien claimant, shall be verified by the oath of some person shown by such verification to have knowledge of the facts stated, and shall set forth:

- (1) A notice of intention to claim and hold a lien, and the amount thereof;
- (2) That such amount is due and owing to the claimant for labor performed, or for skill, services, material, or machinery furnished, and for what improvement the same was done or supplied;
- (3) The names and post office addresses of the claimant, and of the person for or to whom performed or furnished;
- (4) The dates when the first and last items of the claimant's contribution were made;
- (5) A description of the property to be charged, identifying the same with reasonable certainty;
- (6) The name and address of the owner thereof at the time of making such statement, according to the best information then had; and
- (7) An itemized statement of the account upon which the lien is claimed.

SATISFY/RELEASE A MECHANIC'S LIEN:

44-9-21. Manner of satisfying liens--Execution and delivery of satisfaction to owner of property--Contents--Acknowledgment--Record of satisfaction--Cancellation of lien. Whenever a lien has been claimed by filing the same in the office of the register of deeds and it is afterward satisfied by payment, foreclosure, compromise, or other method, the creditor shall execute and deliver to the owner of the property a satisfaction describing the lien by its date, date of filing, amount claimed, description of the property, and the names of the lien claimants and owner of the property. Such satisfaction shall be executed before two witnesses or acknowledged before a notary public, and upon presentation to the register of deeds, he shall file the same and cancel the said lien of record.

GENERAL LIENS

*\$30 filing fee

*Notice of Lien Statement

*Certified mail receipt

Refer to sdlegislature.gov, Chapter 44-2 for full details.

44-2-3. Public record notice of claim of lien on personal property--No other method provided--Lien statement--Contents. In all cases where no other provision is made by statute for giving public record notice of any claim of lien on personal property any person claiming such lien may give public record notice thereof by sworn statement executed in writing stating:

- (1) The names and addresses of the owner of the property and of the lien claimant;
- (2) A description of the property sufficient to identify it;
- (3) The approximate location of the property;
- (4) The date on which the lien is claimed to have arisen;
- (5) The amount claimed as a lien, and if the lien is one, which may increase by future keep, care, or other transactions related to the property, the probable amounts by which it will increase;
- (6) The circumstances out of which the lien is claimed to have arisen and the circumstances, if any, under which its future accumulations may arise, sufficient to show the legal or contract right to such lien and its accumulations.