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August 2, 2010 - Notice Regarding Revisions to Missouri Mechanic's Lien Law

In July 2010, Missouri Governor Jay Nixon signed into law several bills affecting the rights of those intending to claim ("claimant") a Mechanic's Lien against certain residential real property- whether improved or unimproved- that is intended to be or is being improved in connection with an intended sale of the property.

The new statutory provisions provide additional requirements for the existence of a Mechanic's Lien upon such properties where an owner is intending to sell the property and has properly placed a notice of intended sale of the property on the public record.

Most importantly, the new provisions set deadlines by which an Owner must:

- **Post** a Notice of Intended Sale of the property and
- **Record** the Notice of Sale with the Recorder of Deeds in the county the property is located.

In order for a Claimant to preserve the right to assert a Mechanic's Lien against the property, the Claimant must:

- **Record** a Notice of Rights with the Recorder of Deeds in the county the property is located within a specified time.

The contents of the Notices, the manner of calculating the deadlines, and other specific requirements governing the relative respective rights of the Owner and the Claimant are set forth in the new statutes.

The owners of such properties and those who desire to assert a Mechanic's Lien upon such properties are advised to seek competent legal advice concerning the new statutes and all other matters governing the rights and obligations of such parties.

County Recorders of Deeds in Missouri, including the St. Louis City Recorder of Deeds and Vital Records Registrar, cannot provide legal advice to any party and, specifically, cannot advise property Owners or Mechanic's Liens Claimants concerning the deadlines, Notice requirements, or rights and responsibilities affected by the new statutes.

Since time is always important in legal matters, all interested parties should immediately seek legal advice with respect to the foregoing.