

CHAPTER 125

Original Senate File No. 13

LIS PENDENS

AN ACT to amend and re-enact Section 1-46, Wyoming Statutes 1957, relating to the filing of notice of pendency of actions affecting title to real property or actions between husband and wife by providing for the filing of notice of actions pending in a State Court or in a United States District Court with the county clerk and ex-officio register of deeds in the county in which such property is situated.

Be It Enacted by the Legislature of the State of Wyoming:

Filed in District Court; Constructive Notice of Pendency of Action

Section 1. That Section 1-46, Wyoming Statutes 1957, is amended and re-enacted to read as follows:

In an action in a State Court or in a United States District Court affecting the title or right of possession of real property, or in an action between husband and wife, the plaintiff at the time of filing the petition or complaint, and the defendant at the time of filing his pleading when affirmative relief is claimed in such pleading, or at any time afterward, may file in the office of the county clerk and ex-officio register of deeds of the county in which the property is situated a notice of the pendency of the action containing the names of the parties, the object of the action or defense and a description of the property in that county affected thereby. From the time of the filing of such notice a subsequent purchaser or encumbrancer of the property affected thereby shall be deemed to have constructive notice of the pendency of the action.

Approved March 1, 1965.