

IC 32-33

ARTICLE 33. LIENS ON PERSONAL PROPERTY

IC 32-33-1

Chapter 1. Blacksmith's Liens

IC 32-33-1-1

Shoeing animals or repairing vehicles; lien; precedence

Sec. 1. (a) A person who, at the request of an owner or an owner's authorized agent:

- (1) shoes or causes to be shod by the person's employees a horse, a mule, an ox, or other animal; or
- (2) repairs or causes to be repaired by the person's employees, a vehicle;

has a lien upon the animal shod or vehicle repaired for the person's reasonable charge for shoeing the animal or repairing the vehicle.

(b) A lien conferred by this chapter takes the precedence of all other liens or claims upon the animal shod or the vehicle repaired that are not duly recorded before the recording of a claim for the lien conferred by this chapter. However, a lien may not attach to the animal shod or the vehicle repaired if the property has changed ownership before the filing of the lien.

As added by P.L.2-2002, SEC.18.

IC 32-33-1-2

Filing intention to claim lien; recording lien

Sec. 2. A claim for a lien under this chapter must be filed within sixty (60) days after the shoeing of a horse, a mule, an ox or other animal, or the repairing of a vehicle. The claim must be filed with the recorder of the county in which the owner of the animal or vehicle resides. A claim for a lien under this chapter must be in writing, setting forth the person's intention to claim a lien upon the animal or vehicle for the charges for shoeing or repairing. However, this lien must be recorded in the miscellaneous record book in the recorder's office of the county. The recorder shall charge a fee in accordance with IC 36-2-7-10 for recording the lien.

As added by P.L.2-2002, SEC.18.

IC 32-33-1-3

Contents of claim for lien; expiration of lien

Sec. 3. A claim for lien under this chapter must:

- (1) state the name and residence of the person claiming the lien;
- (2) the name of the owner of the animal or vehicle sought to be charged with the lien;
- (3) a description sufficient for identification of the animal or vehicle upon which the lien is claimed; and
- (4) the amount due the claimant, as near as may be, over and above all legal set-offs.

A claim for lien filed with the recorder of the county under section 2 of this chapter expires and becomes void and of no effect if suit is not brought to foreclose the lien within three (3) months after filing the claim under section 2 of this chapter.

As added by P.L.2-2002, SEC.18.

IC 32-33-1-4

Foreclosure of lien

Sec. 4. A lien under this chapter may be foreclosed in any circuit or superior court in the county in which the lien is recorded under section 2 of this chapter.

As added by P.L.2-2002, SEC.18.

IC 32-33-1-5

Attorney's fees

Sec. 5. If the plaintiff recovers on a claim and a lien is foreclosed under this chapter, the plaintiff shall recover and the court may allow a reasonable fee for plaintiff's attorney for bringing and prosecuting the cause of action, all of which shall be recovered from the defendant, and the property in controversy may be sold as in case of sales in foreclosure of chattel mortgages.

As added by P.L.2-2002, SEC.18.