

November 30, 1987

Ms. Romar Langford (AOPA)
Title Search Room
Aviation Records Building

Dear Ms. Langford:

Aircraft N101WA

The lien of Troy Air, Inc., against this aircraft has been referred to this office for review. Initially, let me state that the lien is asserted against not only the aircraft, but also the engines, two AirResearch TPE-331's. Because of the unique language of the Federal Aviation Act, 49 U.S.C. 1403(a)(2), we are not authorized to record nonconsensual liens against engines, and the lien is not to be considered in that aspect.

As to the lien against the aircraft, we note that Alaska Statutes 34.35.185 require the lien to be recorded in the Recording District (in Alaska) before the aircraft is released to the owner or his agent. In this case, there is no evidence as to whether or not the claimant still has possession of the aircraft, or the lien filing in the Anchorage Recording District on October 14, 1987, was done before the return of the plane to the owner.

Please provide this information before we can process the lien claim further.

Sincerely,

Joseph R. Standell
Aeronautical Center Counsel

By:
R. Bruce Carter
Attorney Adviser