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afforded it under the common and statutory law. There is no provision in the applicable statutes authorizing a lien against a public building. Furthermore, Section 29-5-40 relied upon by the plaintiff does not, in my opinion, create a lien against funds held by the owner but rather limits the amount of the liens filed against the property to the amount owed by the owner to the general contractor. In any event, the funds of the sewer authority would not be subject to lien or attachment as there is no statute authorizing the attachment of public funds. Consequently, I am of the opinion that the mechanics lien should be dissolved and that no funds held by the sewer authority are subject to lien or attachment.

While not material to this decision, I feel constrained to point out that the sewer authority required Nalews, Inc. to post a payment and performance bond in excess of Twelve Million (\$12,000,000.00) Dollars which affords protection for subcontractors and materialmen working on the project.

Now, therefore,

IT IS ORDERED, ADJUDGED AND DECREED that the mechanics lien of Precision Boring and Tunneling Company, Inc. against the defendants filed in the RMC Office for Greenville County in Mechanics Lien Book 17 at page 1105 be, and hereby is, dissolved and the RMC for Greenville County is hereby directed to take all steps necessary to cancel said lien on the public records.

AND IT IS SO ORDERED.

*Frank Eppes*  
 Frank Eppes, Resident Judge of the  
 Thirteenth Judicial Circuit

Dated: 8/12/77  
 Greenville, S. C.

RECORDED AUG 16 1977

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